

SEVERAL
TREATIES

OF
PEACE and COMMERCE

Concluded between the late

K I N G

Of Blessed Memory Deceased,

AND OTHER

PRINCES and STATES;

WITH

Additional Notes in the Margin, Referring
to the several Articles in each Treaty, and a Table.

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TREATIES

OF

INDEPENDENT NATIONS

K I N G

OF THE

UNITED STATES

OF AMERICA

AND

THE

WEST INDIES

AND


THE

AFRICA

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Articles of Peace, Commerce, and Alliance, between the Crowns of Great Britain and Spain, Concluded in a Treaty at Madrid the 13 of May, in the Year of our Lord God, 1667.

 *First, It is Agreed and Concluded, That from this day forward there shall be between the two Crowns of Great Britain and Spain, a General, Good, Sincere, True, Firm and Perfect Amity, Confederation and Peace, which shall endure for ever, and be observed inviolably, as well by Land, as by Sea and Fresh-waters; and also between the Lands, Countries, Kingdoms, Dominions and Territories, belonging unto, or under the Obedience of either of them; And that their Subjects, People, and Inhabitants respectively, of what condition, degree or quality soever, from henceforth reciprocally, shall help, assist, and shew to one another all manner of Love, good Offices, and Friendship.*

*A perfect
Friendship
and Peace.*

II.

That neither of the said Kings, nor their respective People, Subjects or Inhabitants within their

A

Domini-

2
Treaty of Commerce with Spain.

Free Passage
and Trade.

Dominions, upon any pretence, may in publick or secret, do, or procure to be done, any thing against the other, in any Place, by Sea or Land, nor in the Ports or Rivers of the one or the other, but shall treat one another with all Love and Friendship; and may by Water and by Land, freely and securely pass into the Confines, Countries, Lands, Kingdoms, Islands, Dominions, Cities, Towns, Villages, Wall'd or without Wall, Fortified or Unfortified, their Havens and Ports (where hitherto Trade and Commerce hath been accustomed) and there Trade, Buy and Sell, as well of and to the Inhabitants of the respective Places, as those of their own Nation, or any other Nation that shall be or come there.

III.

Letters of
Marque,
when to be
granted.

That the said Kings of *Great Britain and Spain*, shall take care that their respective People and Subjects from henceforward do abstain from all Force, Violence or Wrong; and if any Injury shall be done by either of the said Kings, or by the People or Subjects of either of them, to the People or Subjects of the other, against the Articles of this Alliance, or against common Right, there shall not therefore be given Letters of Reprisal, Marque, or Counter-marque by any of the Confederates, until such time as Justice is sought and followed in the ordinary course of Law: But if Justice be denied or delayed, then the King whose People or Inhabitants have received harm, shall ask it of the other, by whom (as is said) the Justice shall have been denied or delayed, or of the Commissioners that shall be by the one King or the other appointed to receive and hear such Demands, to the end that all

all such Differences may be compounded in Friendship, or according to Law. But if there should be yet a delay, or Justice should not be done, nor Satisfaction given within six Months after having the same so demanded, then may be given Letters of Reprisal, Marque or Counter-marque.

IV.

That between the King of *Great Britain*, and the King of *Spain*, and their respective People, Subjects and Inhabitants, as well upon Sea as upon Land and Fresh-water, in all and every their Kingdoms, Lands, Countries, Dominions, Confines, Territories, Provinces, Islands, Plantations, Cities, Villages, Towns, Ports, Rivers, Creeks, Bays, Straights and Currents, where hitherto Trade and Commerce hath been accustomed, there shall be free Trade and Commerce, in such way and manner, that without safe Conduct, and without general or particular Licence, the People and Subjects of each other may freely, as well by Land as by Sea and Fresh-water, Navigate and go into their said Countries, Kingdoms, Dominions, and all the Cities, Ports, Currents, Bays, Districts, and other Places thereof, and may enter into any Port with their Ships laden or empty, Carriage or Carriages wherein to bring their Merchandise, and there buy and sell what and how much they please, and also at just and reasonable Rates provide themselves with Provisions and other necessary things for their subsistence and Voyage; and also may repair their Ships and Carriages, and from thence again freely depart with their Ships, Carriages, Goods, Merchandise and Estate, and return to their own Countries, or to such other Place as they shall think

Free Trade
and Com-
merce.

fit, without any Molestation or Impediment, so that they pay the Duties and Customs which shall be due, and saving to either side the Laws and Ordinances of their Country.

V.

No Customs
to be paid but
what the Na-
tives pay.

Item, It is likewise Agreed, That for the Merchandises which the Subjects of the King of *Great Britain* shall buy in *Spain*, or other the Kingdoms or Dominions of the King of *Spain*, and shall carry in their own Ships, or in Ships hired or lent unto them, no new Customs, Toll, Tenths, Subsidies, or other Rights or Duties whatsoever shall be taken or increased, other then those which in the like case the Natives themselves, and all other Strangers are obliged to pay; and the Subjects aforesaid buying, selling and contracting for their Merchandises, as well in respect of the Prices, as of all Duties to be paid, shall enjoy the same Priviledges which are allowed to the natural Subjects of *Spain*; and may buy, and lade their Ships with such Goods and Merchandises; which said Ships being laden, and Customs paid for the Goods, shall not be detained in Port upon any pretence whatsoever; nor shall the Laders, Merchants or Factors who bought and loaded the Goods aforesaid be questioned after the departure of the said Ships, for any matter or thing whatsoever concerning the same.

VI.

Tables or Lists
of the Duties
to be put up.

And to the end that the Officers and Ministers of all Cities, Towns and Villages belonging to either, may neither demand nor take from the respective Merchants and People, greater Taxes, Duties, Stipends, Recompences, Gifts, or any other Charges

ges, then what ought to be taken by virtue of this Treaty ; and that the said Merchants and People may know and understand with certainty what is ordained in all things touching this ; It is Agreed and Concluded, That Tables and Lists shall be put up at the Doors of the Custom-houses and Registries of all the Cities, Villages and Towns of, or appertaining to one or the other King where such Rights and Excises or Customs are usually paid ; in which, how much, and of what quality such Rights, Customs, Subsidies and Payments, either to the Kings or any the aforesaid Officers are allowed, shall be put down in Writing, declaring as well the Species of what is Imported, as what is carried out. And if any Officer, or any other in his name, upon any pretence whatsoever, in publick or secret, directly or indirectly, shall ask or receive of any Merchant or other person respectively, any sum of Money or other thing, by the name of Right, Due, Stipend, Allowance, or Recompence (though it be by the way of voluntary Donative) more or otherwise then aforesaid, the said Officer or his Deputy being in such manner guilty, and convicted before a competent Judge in the Country where the Crime is committed, shall be put in Prison for three Months, and shall pay thrice the value of the thing so received ; of which the half shall be for the King of the Country where the Crime is committed, and the other half for the Denunciator, for the which he may sue his Right before any competent Judge of the Country where it shall happen.

VII.

That it shall be lawful for the Subjects of the
King

All kind of
Goods freely
to be Import-
ed into Spain.

King of Great Britain, to bring out, and carry into Spain, and all or any Lands and Dominions of the King of Spain (where heretofore they have used Trade and Commerce) and Trade there with all kind of Merchandise, Clothes, Manufactures, and things of the kingdom of Great Britain, and the Manufactures, Goods, Fruits, and Kinds of the Islands, Towns and Plantations to him appertaining, and what shall have been bought by English Factors on this side, or farther on the other side of the Cape of *Baena Esperança*, without being enforced to declare to whom, or for what Price they sell their said Merchandise and Provisions, or being molested for the Errors of the Masters of the Ships, or others, in the Entry of the Goods; and at their pleasure to return again out of the Dominions of the King of Spain, with all, or any Goods, Estates and Merchandise, to any of the Territories, Islands, Dominions and Countries of the King of England, or to any other Place, paying the Rights and Tributes mentioned in the antecedent Chapters; and the rest of all their Lading which is not brought to Land, they may detain, keep and carry away in their said Ship or Ships, Vessel or Vessels again, without paying any Right or Imposition whatsoever for it, as if therewith they had never been within any Bay or Port of the Catholique King. And all the Goods, Estates, Merchandise, Ships or other Vessels, with any things introduced into the Dominions or Places of the Crown of Great Britain as Prizes, and judged for such in the said Dominions and Places, shall be taken for Goods and Merchandise of Great Britain, comprehended so by the intention of this Article.

To pay onely
for the Goods
Landed.

Prize Goods
to be esteem-
ed as English.

VIII.

That the Subjects and Vassals of the Most Serene King of Great Britain may bring and carry to all and singular the Dominions of the King of Spain, any Fruits and Commodities of the East-Indies, it appearing by Testimony of the Deputies of the East-Indy Company in London, that they are of, or have come from the English Conquests, Plantations or Factories, with like Privilege, and according to what is allowed to the Subjects of the United Provinces, by the Royal Cédulas of Contravando bearing date the 27. of June, and the 3. of July 1663. and published on the 30. of June, and 4. of July the same Year. And for what may concern both the Indies, and any other Parts whatsoever, the Crown of Spain doth grant to the King of Great Britain and his Subjects, all that is granted to the United States of the Low-Countries and their Subjects, in their Treaty of Munster 1648. Point for Point, in as full and ample manner as if the same were herein particularly inserted, the same Rules being to be observed whereunto the Subjects of the said United States are obliged, and mutual Offices of Friendship to be performed from one side to the other.

East-India Goods to be freely Imported into Spain.

The English to have all Privileges granted to the Dutch by the Treaty of Munster 1648.

IX.

That the Subjects of the King of Great Britain, Trading, Buying and Selling in any of the Kingdoms, Governments, Islands, Ports or Territories of the said King of Spain, shall have, use, and enjoy all the Privileges and Immunities which the said King hath granted and confirmed to the English Merchants that reside in Andalusia, by his Royal Cédulas or Orders, dated the 19. day of March, the 26. day

And to have all the Privileges granted to the English residing in Andalusia 1645.

Treaty of Commerce with Spain

26. day of June, and the 9. day of November 1645. His Catholique Majesty by these Presents recon-
firming the same as a part of this Treaty between
the two Crowns. And to the end that it be ma-
nifest to all, It is consented, That the said Sche-
dules (as to the whole substance thereof) be passed
and transferred to the body of the present Articles,
in the same and favour of all and singular the Sub-
jects of the King of Great Britain, residing and
Trading in any Places whatsoever within His Ca-
tholique Majesties Dominions

That the Ships, or any other Vessels that shall
belong to the King of Great Britain or his Subjects,
Navigating into the King of Spain's Dominions,
or any of his Ports, shall not be visited by the
Judges of Counterband, or by any other Officer or
Person, by his own, or by any other Authority;
nor shall any Souldiers, Armed men, or other Of-
ficers or Persons, be put on Board any of the said
Ships or Vessels; nor shall the Officers of the
Custom-house of the one or the other Party, search
in any Vessels or Ships belonging to the People of
the one or the other, which shall enter into their
Regions, Dominions, or respective Ports, until
their said Ships or Vessels are unladen, or until
they have carried on Shore all the Lading and
Merchandise which they declare they resolve to
disembark in the said Port; nor shall the Ca-
ptain, Master, or any other of the Company of the
said Ships be Imprisoned, or they or their Boats
detained on Shore; but in the interim, Officers of
the Custom-house may be put on Board the said
Vessels or Ships, so they exceed not the number of
three

English Ships,
how to be vi-
sited in Port.

three for each Ship, to see that no Goods or Merchandise be Landed out of the said Ships or Vessels, without paying such Duties as by these Articles either Party is obliged to pay ; which said Officers are to be without any charge to the Ship or Ships, Vessel or Vessels, their Commanders, Mariners, Company, Merchants, Factors, or Proprietors. And when it happens that the Master or Owner of any Ship shall declare the whole Lading of his said Ship is to be Discharged in any Port, the Entry of the said Lading shall be made in the Custom-house, after the usual manner ; and if after the Entry made, any other Goods be found in the said Ship or Ships, more then what are contained in the said Entry, eight working Days shall be allowed them on which they may work (which shall be reckoned from the Day they began to unlade) to the end that the concealed Goods may be Entred, and the Confiscation of them prevented : and in case that in the time limited, the Entry or Manifestation of them shall not have been made, then such particular Goods only, which shall be found as aforesaid, though the unlading be not finished, shall be Confiscated, and not any other ; nor shall other trouble be given, or punishment inflicted on the Merchant or Owner of the Ship ; and when the Ships or Vessels are reladen, they may have freedom to go out again.

XI.

That the Ship or Ships appertaining to the one or the other King, or to their respective People and Subjects, that shall enter into any Ports, Lands or Dominions of the one or the other, and shall Discharge any part of their Goods and Merchandise

English not obliged to Register or Pay for any Goods but such as they shall unlade.

dises in any Port or Haven, being consigned with the rest to other Places within or without the said Dominions, shall not be obliged to Register or Pay the Rights of any other Goods or Merchandise, then of that which they shall unlade in the said Port or Haven, nor be constrained to give Bond for the Goods they shall carry to other Places, nor any other Security, if it be not in case of Felony, Debt, Treason, or other capital Crime.

XII.

Whereas the one moiety of the Custom of all Foreign Goods and Merchandises Imported into *England*, is allowed and returned back to the Importer, if the said Goods be Exported out of the said Kingdom within twelve Months after the first Landing, upon Oath made that they are the same Goods which paid Custom inwards, and that if they be not Re-shipt within the said twelve Months, yet they may at all times be Exported without paying any Custom or Duty outwards: It is therefore Agreed, That if any the Subjects of the King of *Great Britain* shall hereafter Land any Goods or Merchandise, of what growth or nature soever they be, in any of the Ports of his Catholique Majesty, and having Entred them, and paid the Custom which by this Treaty ought to be paid, and shall afterwards desire to Transport them, or any part of them, to any other Place whatsoever, for a better Market, it shall and may be lawful for him or them so to do freely, without paying or being demanded any other Custom or duty at all for the same, he or they making Oath, if required thereunto, that they are the same Goods for which Custom was paid at their Landing: And in case that the

Goods Land-
ed which have
paid Custom,
and shall after-
wards be car-
ried to any
other Place,
to pay no fur-
ther Duties.

the Subjects, People and Inhabitants of the Dominions of either part shall unlade, or have in any City, Town or Village respectively, any Goods, Merchandises, Fruits or Estates, and have paid the Customs due, according to what hath been declared, and after that, not being able to put them off, shall resolve to remit them to some other City, Town or Village of the said Dominions, they may not onely do it without difficulty or impediment, and without paying other Rights then what were due at their Entry, but likewise the Custom or Rights shall not be paid again in any other part of the said Dominions, bringing Certificates from the Officers of the Custom-house, that they were paid before in the due form. And the chief Farmers and Commissioners of the King of *Spain's* Rents in all Places, or some other Officer or Officers to be appointed for that purpose, shall at all times permit and suffer the Transportation of all such Goods and Merchandises from Place to Place, and give sufficient Certificate to the owners thereof, or their Assigns, of their having paid their Custom at their first Landing, whereby they may be carried to, and Landed at any other Port or Place of the said Jurisdiction, free from all Duties or Impediments whatsoever, as aforesaid, saving always the Right of any third person.

XIII.

That it shall be lawful for the Ships belonging to the Subjects of the one or the other King, to Anchor in the Roads or Bays of either, without being constrained to enter into Port; and in case they be necessitated to enter thereinto, either by distress of Weather, fear of Enemies, Pirates, or any other

Ships to Anchor freely in any Port or Road.

Accident, in case the said Ships be not bound to an Enemies Port, and carrying thither Contraband Goods (whereof without some clear proof, they shall not be questioned) it shall be lawful for the said Subjects to return to Sea freely when they please, with their Ships and Goods, so as they do not break Bulk, or expose any thing to Sale; and that when they cast Anchor, or enter the Ports aforesaid, they be not molested or visited; and it shall suffice that in this case they shew their Passports or Sea-papers, which being seen by the respective Officers of either King, the said Ships shall return freely to Sea without any molestation.

XIV.

Ships how to be visited at Sea.

And if any Ship or Ships belonging to the Subjects and Merchants of the one or the other, entering into Bays, or in the open Sea, shall be Encountred by the Ships of the said Kings, or of Privateers their Subjects; the said Ships, to prevent all Disorders, shall not come within Canon-shot, but shall send their Long-Boat or Pinnace to the Merchant-Ship, and onely two or three Men on Board, to whom the Master or Owner shall shew his Passports and Sea-Letters, according to the Form which shall be inserted at the end of this Treaty, whereby not only the Ships Lading, but the Place to which she belongs, and as well the Master and Owners Name, as the Name of the Ship may appear; by which means the quality of the Ship, and her Master or Owner will be sufficiently known, as also the Commodities she carries, whether they be Contraband, or not; to the which Passports and Sea-Letters, intire faith and credit shall be given, so much the rather, for that as well on the part of the King

King of *England*, as of the King of *Spain*, some Counter-signs shall be given (if it shall be found necessary) whereby their authenticity may the better appear, and that they may not be in any wise falsified.

XV.

If any prohibited Merchandise or Goods shall be Exported from the Kingdoms, Dominions and Territories of either of the said Kings, by the respective People or Subjects of the one or the other, in such case the prohibited Goods shall be onely Confiscated, and not the other Goods; neither shall the Delinquent incur any other Punishment, except the said Delinquent shall carry out from the respective Kingdoms or Dominions of the King of *Great Britain*, the proper Coin, Wooll, or Fullers-Earth of the said Kingdoms, or shall carry out of the respective Kingdoms or Dominions of the said King of *Spain*, any Gold or Silver, wrought or unwrought; in either of which cases the Laws of the respective Countreys are to take place.

Prohibited Goods Exported, to be Confiscated.

In case Coin, Wooll or Fullers-Earth be Exported, the Laws of the Country to take place.

XVI.

That it shall be lawful for the People and Subjects of both Kings, to have access to the respective Ports of the one and the other, and there remain, and depart again with the same freedom, not onely with their Ships, and other Vessels for Trade and Commerce, but also with their other Ships fitted for War, Armed, and disposed to resist and engage the Enemy, and arriving by stress of Weather to repair their Ships, or furnish themselves with Provisions; so that entring willingly, they be not so numerous, that they give just occasion of suspicion,

Ships to remain freely in each others Ports, and depart again.

to

Concerning
Men of War
coming into
Ports.

to which end they are not to exceed the number of Eight, nor continue in their Havens, nor about their Ports, longer time then they shall have just cause, for the repair of their Ships, to take in Provisions or other necessary things, much less be the occasion of interrupting the free Commerce, and coming in of other Ships, of Nations in Amity with either King ; and when an unusual number of Men of War by accident shall come unto any Port, it shall not be lawful for them to come into the said Ports or Havens, not having first obtained permission of the King unto whom the said Ports do belong, or the Governours of the said Ports, if they be not forced thereinto by stress of Weather or other necessity, to avoid the danger of the Sea ; and in such case they shall presently acquaint the Governour or chief Magistrate of the Place with the cause of their coming ; nor shall they remain there any longer time then the said Governour or Magistrate shall think convenient, or do any act of Hostility in such Ports, that may prove of prejudice to the one or the other of the said Kings.

XVII.

No Merchants,
Pilots, &c. to
be Pressed.

That neither the said King of *Great Britain*, nor the King of *Spain*, by any Mandate general, nor particular, nor for any cause whatsoever, shall Embarque or detain, hinder or take for his respective Service, any Merchant, Master of a Ship, Pilot or Mariner, their Ships, Merchandise, Clothes or other Goods belonging unto the one or the other, in their Ports or Waters, if it be not that either of the said Kings ; or the Persons to whom the Ships belong, be first advertised thereof, and do agree thereunto ; Provided, that this shall not be construed to hinder or

or interrupt the ordinary course of Justice and Law in either Country.

XVIII.

That the Merchants and Subjects of the one and the other King, their Factors and Servants, as also their Ships, Masters or Mariners, may as well going as coming, upon Sea and other Waters, as in the Havens and Ports of the one and the other respectively, carry and use all kind of Arms, Defensive and Offensive, without being obliged to Register them, as also upon Land to carry and use them for their Defence, according to the custom of the Place.

Merchants, Seamen, &c. to have liberty, to carry Arms.

XIX.

That the Captains, Officers and Mariners of the Ships belonging to the People and Subjects of either Party, may not commence an Action, nor hinder or bring trouble upon their own Ships, their Captains, Officers or Mariners in the respective Kingdoms, Dominions, Lands, Countries or Places of the other, for their Wages or Salaries, or under any other pretence. Nor may they put themselves or be received, by what pretext or colour soever, into the Service or Protection of the King of *England*, or King of *Spain*, or their Arms; but if any Controversie happen between Merchants and Masters of Ships, or between Masters and Mariners, the composing thereof shall be left to the Consul of the Nation, but after such manner, as he who shall not submit to the Arbitrement, may appeal to the ordinary Justice of the Place where he is subject.

About Differences between Captains and Masters of Ships, and their Men.

XX. And

Concerning
Trading to
Flanders.

And to the end that all Impediments be taken away, and that the Merchants and Adventurers of the Kingdoms of *Great Britain* be permitted to return to *Brabant*, *Flanders*, and other the Provinces of the *Low-Countries*, under the Jurisdiction of the King of *Spain*; Forasmuch as it hath been thought convenient, that all, and any the Laws, Edicts, and Acts by which the Importation of Cloth, or any Cloth, or any other Woollen Manufacture, of what kind soever, Dyed or Undyed, Mill'd or Unmill'd, into *Flanders*, or the other Provinces, hath been prohibited, be revoked and disannull'd; and that if any Right, Tribute, Imposition, Charge or Money, hath been, with permission, or otherwise, put upon Cloths, or any of the aforesaid Woollen Manufactures so Imported (except the ancient Tribute upon every piece of Cloth, and proportionably upon every other Woollen Manufacture, agreeable to the ancient Treaties and Agreements between the then Kings of *England*, and the Dukes of *Burgundy*, and Governours of the *Low-Countries*) the same should be altogether void, and no such Tribute or Imposition from henceforth imposed, or put upon the said Clothes or Manufactures, for no cause or pretext whatsoever; And that all the *English* Merchants, Trading in any of the said Provinces, their Factors, Servants, or Commissioners, should enjoy from henceforward, all the Priviledges, Exemptions, Immunities and Benefits, which formerly have been agreed and given by the aforesaid ancient Treaties and Agreements, between the then Kings of *England* and the Dukes of *Burgundy*, and Governours of the *Low-Countries*: It is therefore Agreed,
That

That Deputies shall be named by the King of *Great Britain*, who meeting with the Marquess of *Castell-rodriago*, or the Governour of those Provinces for the time being, or any other Ministers of the King of *Spain*, sufficiently authoris'd in this behalf, shall friendly Treat and Conclude hereupon ; and also such further Priviledges, Immunities, and necessary Exemption, suitable to the present state of Affairs, shall be granted for the encouragement of the said Merchants and Adventurers, and for the security of their Trade and Commerce, as shall be agreed upon in a special Treaty, that shall be made between both the Kings, touching this Particular.

XXI.

The Subjects and Inhabitants of the Kingdoms and Dominions of the Most Serene Kings of *Great Britain* and *Spain* respectively, shall with all security and liberty Sail to, and Traffick in all the Kingdoms, Estates, or Countries, which are or shall be in Peace, Amity, or Neutrality with the one or the other.

Freedom of Trade to Places in Amity or Neutrality with either Party.

XXII.

And they shall not be disturbed or disquieted in that liberty, by the Ships or Subjects of the said Kings respectively, by reason of the Hostilities which are or may be hereafter between either of the said Kings, and the aforesaid Kingdoms, Countries, and States, or any of them, which shall be in Friendship or Neutrality with the other.

Not to be disturbed in that liberty.

XXIII.

And in case that within the said Ships respectively, be found by the above said means, any

C

Merchan-

Contraband
Goods, and no
other, to be
Confiscated.

Merchandise here under mentioned, being of Contraband, and Prohibited, they shall be taken out and Confiscated, before the Admiralty, or other competent Judges ; but for this reason the Ship, and the other free and allowed Commodities which shall be found therein , shall in no wise be either Seized or Confiscated.

XXIV.

What are
Contraband
Goods.

Moreover, for better prevention of the Differences which might arise touching the meaning of forbidden Merchandise, and of Contraband ; It is Declared and Agreed, That under this Name shall be comprehended all Fire-Arms, as Ordnance, Musquets, Mortar-pieces, Petards, Bombs, Grana- does, Fire-crancels, Fire-balls, Musquet-rests, Baneliers, Gunpowder, Match, Salt-petre, and Bul- lets ; Likewise under the Name of forbidden Mer- chandise, are understood all other Arms, as Pikes, Swords, Pots, Helmets, Backs and Breasts, Hal- berds, Javelins, and such like Armour ; Under this Name is likewise forbidden the Transportation of Souldiers, Horses, their Harnesses, Cases of Pistols, Holsters, Belts, and other Furniture, formed and composed for the use of War.

XXV.

Exceptions to
the above-
mentioned
Article.

Likewise, to prevent all manner of Dispute and Contention, It is Agreed, That under the Name of forbidden Merchandise, and of Contraband, shall not be comprehended Wheat, Rye, Barley, or other Grains, or Pulse, Salt, Wine, Oyl, and generally whatsoever belongs to the sustaining and nourish- ing of life, but they shall remain free, as likewise all other Merchandises not comprehended in the preceding

preceding Article ; and the Transportation of them shall be free and permitted, although it be to the Towns and Places of Enemies, unless such Towns and Places be Besieged, and blocked up, or furrounded.

XXVI.

It is also Agreed, That whatsoever shall be found Laden by the Subjects or Inhabitants of the Kingdoms and Dominions of either of the said Kings of *England* and *Spain* Aboard the Ships of the Enemies of the other, though it be not forbidden Merchandise, shall be Confiscated, with all things else which shall be found within the said Ships, without exception or reserve.

Goods belonging to either Party found on Enemies Ships, to be Confiscated.

XXVII.

That the Consul which hereafter shall reside in any of the Dominions of the King of *Spain*, for the help and protection of the Subjects of the King of *Great Britain*, shall be named by the King of *Great Britain*, and he so named, shall have and exercise the same Power and Authority in the execution of his Charge, as any other Consul hath formerly had in the Dominions of the said King of *Spain* ; and in like manner the *Spanish* Consul residing in *England*, shall enjoy as much Authority as the Consuls of any other Nation have hitherto enjoyed in that Kingdom.

The power of the respective Consuls.

XXVIII.

And that the Laws of Commerce that are obtained by Peace, may not remain unfruitful, as would fall out if the Subjects of the King of *Great Britain*, when they go to, come from, or remain in the

Merchants not
to be molested
for Religion.

Dominions or Lordships of the King of *Spain*, by reason of their Commerce or other Business, should be molested for ease of Conscience ; therefore that the Commerce be secure, and without danger, as well upon Land as at Sea, the said King of *Spain* shall provide, that the Subjects of the said King of *Great Britain* shall not be agrieved contrary to the Laws of Commerce, and that none of them shall be molested or disturbed for their Conscience, so long as they give no publick scandal or offence ; And the said King of *Great Britain* shall likewise provide, for the same reasons, that the Subjects of the King of *Spain* shall not be molested or disturbed for their Conscience against the Laws of Commerce, so long as they give no publick scandal or offence.

XXIX.

Merchandises
to be paid for
only in such
Coin as shall
be agreed up-
on.

That the People and Subjects respectively of one Kingdom, in the Dominions, Territories, Regions or Colonies of the other, shall not be compelled to sell their Merchandise for Brass-metal-Coin, or exchange them for other Coin or things, against their will ; or having sold them, to receive the payment in other Species then what they bargained for, notwithstanding any Law or other Custom contrary to this Article.

XXX.

That the Merchants of both Nations, and their Factors, Servants and Families, Commissioners, or others by them employed ; as also Masters of Ships, Pilots and Mariners, may remain freely and securely in the said Dominions, Kingdoms and Territories, of either of the said Kings, and also in
their

their Ports and Rivers ; And the People and Subjects of the one King, may have, and with all freedom and security enjoy, in all the Lands and Dominions whatsoever of the other, their proper Houses to live in, their Warehouses and Magazines for their Goods and Merchandise, which they shall possess during the time for which they shall have taken, hired, and agreed for them, without any Impediment.

Merchants, &c. freely to enjoy their Houses, Warehouses, &c.

XXXI.

The Inhabitants and Subjects of the said Confederate Kings, in all the Lands and Places under the Obedience of the one or the other, shall use and employ those Advocates, Proctors, Scriveners, Agents and Solicitors, whom they think fit, the which shall be left to their choice, and consented to by the ordinary Judges, as often as there shall be occasion ; and they shall not be constrained to shew their Books and Papers of Accompt to any Person, if it be not to give Evidence for the avoiding Law-Suits and Controversies ; neither shall they be Embarqued, Detained, or taken out of their hands, upon any pretence whatsoever. And it shall be permitted to the People and Subjects of either King, in the respective Places where they shall reside, to keep their Books of Accompt, Traffick and Correspondence in what Language they please, in *English, Spanish, Dutch*, or any other, the which shall not be molested, or subject to any Inquisition. And whatsoever else hath been granted by either Party, concerning this Particular, to any other Nation, shall be understood likewise to be granted here.

To employ such Proctors, Agents, &c. as they shall think fit.

Books of Accompt not subject to any Inquisition.

XXXII. That

XXXII.

About Con-
fiscation of
Estates.

That in case the Estate of any person or persons shall be Sequestred or Seised on by any Court of Justice or Tribunal whatsoever, within the Kingdoms and Dominions of either Party, and any Estate or Debt happen to lie in the hands of the Delinquents belonging *bona fide* to the People and Subjects of the other, the said Estate or Debts shall not be Confiscated by any of the said Tribunals, but shall be restored to the true Owners *in specie*, if they yet remain, and if not, the value of them (according to the Contract and agreement which was made between the Parties) shall be restored within three Months after the said Sequestration.

XXXIII.

Estates of
those that die,
to be kept for
the Heirs.

That the Goods and Estates of the People and Subjects of the one King, that shall die in the Countries, Lands and Dominions of the other, shall be preserved for the lawful Heirs and Successors of the Deceased; the Right of any Third person always reserved.

XXXIV.

Concerning
the Estates of
those that die
Intestate.

That the Goods and Estates of the Subjects of the King of *Great Britain*, that shall die without making a Will in the Dominions of the King of *Spain*, shall be put into Inventory with their Papers, Writings, and Books of Accompt, by the Consul or other publick Minister of the King of *Great Britain*, and deposited in the hands of two or three Merchants that shall be named by the said Consul or publick Minister, to be kept for the Proprietors and Creditors; and neither the *Cruzada*, nor any other

other Judicatory whatsoever, shall intermeddle therein; which also in the like case shall be observed in *England* towards the Subjects of the King of *Spain*.

XXXV.

That a decent and convenient Burial-place shall be granted and appointed to bury the Bodies of the Subjects of the King of *Great Britain*, who shall die within the Dominions of the King of *Spain*.

The English
to have a Bu-
rial-place for
their Dead.

XXXVI.

If it shall happen hereafter that any Difference fall out (which God forbid) between the King of *Great Britain* and the King of *Spain*, whereby the mutual Commerce and good Correspondence may be endangered, the respective Subjects and People of each Party shall have notice thereof given them in time, that is to say, the space of Six months, to Transport their Merchandise and Effects, without giving them in that time any molestation or trouble, or Retaining or Embarquing their Goods or Persons.

XXXVII.

All Goods and Rights concealed or Embarqued, Moveables, Immoveables, Rents, Deeds, Debts, Credits, and the like, which have not with a formal notice of the cause, and by a legal Condemnation, according to the Ordinary Justice been brought into the Royal Exchequer at the time of concluding this Treaty, shall remain at the full and free disposal of the Proprietors, their Heirs, or of those who shall have their Right, with all the Fruits, Rents and Emoluments thereof, and
neither

In case of any
Difference be-
tween the
Crowns, Six
months notice
to be given.

neither those who have concealed the said Goods, nor their Heirs shall be molested for this cause by the Exchequers respectively ; but the Proprietors, their Heirs, or those who shall have their Right, shall have for the said Goods and Rights their Action at Law, as for their own proper Goods and Estate

XXXVIII.

English to have all Priviledges granted, or to be granted to any other Stranger, and reciprocally the *Spanish* to enjoy the like

It is Agreed and Concluded, That the People and Subjects of the King of *Great Britain*, and of the King of *Spain*, shall have and enjoy in the respective Lands, Seas, Ports, Havens, Roads and Territories of the one or the other, and in all Places whatsoever, the same Priviledges, Securities, Liberties and Immunities, whether they concern their Persons or Trade, with all the beneficial Clauses and Circumstances which have been granted, or shall be hereafter granted by either of the said Kings, to the Most Christian King, the States General of the United Provinces, the Hans-Towns, or any other Kingdom or State whatsoever, in as full, ample, and beneficial manner, as if the same were particularly mentioned and inserted in this Treaty.

XXXIX.

How to proceed in case any Dispute happen about these Articles.

In case any Difference or Dispute shall happen on either side concerning these Articles of Trade and Commerce, by either the Officers of the Admiralty or other Person whatsoever, in the one or the other Kingdom ; The Complaint being presented by the Party concerned, to their Majesties, or to any of their Council, their said Majesties shall cause the Damages forthwith to be repaired, and all things, as they are above Agreed, to be duly executed ;

executed ; And in case that in progress of time any Frauds or Inconveniencies be discovered in the Navigation and Commerce between both Kingdoms, against which sufficient Prevention hath not been made in these Articles, other Provisions may be hereafter mutually Agreed on, as shall be judged convenient, the present Treaty remaining still in full force and vigour.

XL.

It is likewise Accorded and Concluded, That the Most Serene and Renowned Kings of *Great Britain* and *Spain* shall sincerely and faithfully observe and keep, and procure to be observed and kept, by their Subjects and Inhabitants respectively, all and singular the Capitulations in this present Treaty Agreed and Concluded : Neither shall they directly or indirectly infringe the same, or consent that the same shall be infringed by any of their Subjects or Inhabitants. And they shall Ratifie and Confirm all and singular the Conventions before Accorded by Letters Patents reciprocally, in sufficient, full and effectual Form, and the same so formed and made, shall interchangeably deliver, or cause to be delivered faithfully and really, within Four months after the Date of these Presents ; and they shall then, as soon as conveniently may be, cause this present Treaty of Peace and Amity to be published in all Places, and in the manner accustomed.

About the
Ratifications.

Dated at *Madrid*, the 13 day of *May*, in the
Year of our Lord, 1667.

*The Form of Letters which ought to be given by the
Towns and Sea-Ports, to the Ships and Vessels set-
ting Sail from thence.*

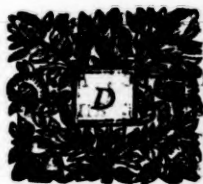
TO all unto whom these Presents shall come ; We the Governours, Consuls, or chief Magistrate or Commissioners of the Customs, of the City, Town or Province of *N.* do testifie and make known, That *N. N.* Master of the Ship *N.* hath before Us, under solemn Oath declared, That the Ship *N.* of *Tun* (more or less) of which he is at present Master, doth belong to the Inhabitants of *N.* in the Dominions of the Most Serene King of *Great Britain.* And We, desiring that the said Master may be assisted in his Voyage and Business, do intreat all Persons in general and particular, who shall meet him, and those of all Places where the said Master shall come with the said Ship and her Merchandise, that they would admit him favourably, treat him kindly, and receive the said Ship into their Ports, Bays, Havens, Rivers and Dominions, permitting her quietly to Sail, Pass, Frequent, and Negotiate there, or in any other Places, as shall seem good to the said Master, paying still the Toll and Customs which of Right shall be due. Which we will acknowledge gratefully upon the like Occasions. In witness whereof, We have Signed these Presents, and Sealed them with the Seal of our Town.

WILL. GODOLPHIN.

Don PEDRO FERNANDEZ
del Campo y Angulo.

The

The Copy of a Patent containing several Gracious Priviledges lately Granted by the High and Mighty Philip the Fourth, King of Spain, &c. Which are Confirmed by the foregoing Treaty, and whereof mention is made in the ninth Article of the said Treaty.



ON PHILIP, By the Grace of God King of Castile, Leon, Arragon, the two Sicilies, Jerusalem, Portugal, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Sivilla, Sardinia, Cordona, Corsega, Murica, Jaen, the Algarves, Algesira, Gibraltar, the

Islands of the Canaries, the East and West-Indies, Islands, and firm Land of the Ocean Sea, Arch-Duke of Austria, Duke of Burgundy, Brabant, and Milan, Earl of Haspurg, Flanders, Tiroll, and Barcelona, Lord of Biscay and Molina, &c.

Whereas on the behalf of you Richard Anthony, Consul of the English Nation, for your self, and in the Name of the Subjects of the King of Great Britain, it hath been shewed unto me, That by virtue of the Peace which is Concluded in this and that Realm, you do Reside and Trade in Andalusia, and specially in the Cities of Sivill, St. Lucar, Cadiz, and Malaga, desiring Me to be pleased to Confirm unto you the Priviledges, Exemptions and Faculties which do belong unto you as well by the Articles of the said Peace, as by the Confirmations thereof, and other Favours and Graces which

My Lord and Father of glorious Memory did Grant unto you, and all such others which have been given you by the Crowns of My Realms of *Castile* and *Portugal*, and to Command that they may be in, and for all things observed and accomplished unto you without any Limitation, and for further assurance to Grant them anew unto you; with the Qualities, Amplitudes and Declarations which shall be most convenient for you; and to set Penalties upon such as shall contradict, and not observe them unto you; and to the end it may be known what they are, to grant them Copies thereof, or of that which My Favour shall be; And I taking the Premises into Consideration; and because for the Occasions which I have for My Wars, you have offered to Serve me with 2500 Ducats of Silver, to be paid 1000 in ready Money, and there-maining 1500 in the Month of *April* of this Year; whereof the Licentiate *Francis Moreno*, which in reversion of *Don Anthony de Campo Redondo y Rio*, Knight of the Order of *Santiago*, one of My Council and Chamber, and of the Treasury, in your Name, and by virtue of your Power, did acknowledge a Writing of Obligation in form before *John Cortez de la Cruz*, My Notary, I do hold it for good; And by these Presents of My own motion, and certain knowledge, and Royal and absolute Power, which I in this behalf will make use of, and do use as an absolute King and Lord, not acknowledging any Superior in matters Temporal, do Confirm and Approve the Priviledges, Exemptions, and Faculties which do belong unto you as well by the Articles of the said Peace, as by the Confirmation thereof; and also the other Favours and Graces which My Lord and Father did Grant unto you,
and

and others whatsoever, which have been given by My Crowns of *Castile* and *Portugal* unto the said Subjects, in and for all things as therein, and every thing and part thereof is specified, contained and declared, to the end they may be firm, stable, and of value, and be observed, kept and accomplished unto you : For my deliberate intent and will is, that all those of the said Nation shall enjoy thereof without any limitation, in such manner, that, during the time the said *Englishmen* shall reside in *Andaluzia*, neither you nor they may be charged with any Office or publick Charge, nor Council, Tutorship, Curatorship, Receivers or Treasurers, although they be of Customers and Millions, or other Services which concern my Royal Treasury ; and much less they may demand of you any Loans or Donations, or take from you any Rights, or your Rents, Horses, or Slaves : And to do you the more Favour or Grace according to that which is Agreed by the said Peace, I do will and promise, that you shall and may Deal and Trade freely, and Sell your Merchandise and Fruits, and Buy those of my Realms, and carry them forth, observing that which is Ordained and Commanded by the Laws and Statutes which make mention thereof, and paying to my Royal Treasury the Duties or Customs which ought to be paid, prohibiting, as I do Prohibit and Command, not to take from you by force any Merchandises, Wheat, or Barley, although it be for the making ready or furnishing my Armies, Fleets, or Gallions, nor for Purveyors or Stewards ; and the Priviledges are to be concerning the Wheat and Barley according to the Tun ; and concerning the other Things and Merchandises, as you shall Conclude and Agree : but they may not take them
out

out of your possession until they have paid for them, unless for the same there be leave given, that they do not molest and trouble you. And forasmuch as many of you do Treat to bring into the Ports of *Andalusia*, the City of *Sivil*, and other Places, great quantity of *New-found-land* Fish, and other sorts of dry and salted Fish, because they are Victuals which are very necessary; and that you have been and are put to great Charges, and are much troubled, I do Will and Command to be kept the Ordinance of the City of *Sivil*, whereby it is Ordained, That those which come in with dry or salted Fish, there shall not be any Price or Rate set upon them, but they shall be permitted to sell at such a Price as they shall think good; and it shall not be necessary to manifest them any more then unto my Officers which receive my Royal Rents: and if the Ships wherein the said Fish is brought be great Ships, that they cannot go up the River, and that the same be put into Barques or Lighters, the Judge of the Admiralty, nor any other person, may not put any Waiters or Keepers into the Barques or Lighters at the Charge of the Owners of them.

And I do also Command, That if the said Fish shall appear to be rotten, and that it cannot be spent, that it be burnt, or thrown into the Sea; and that for this cause there shall not be any Cause or Action commenced against the Owners thereof, or persons which shall sell it, nor they shall not be Imprisoned, nor Informed against: And forasmuch as the Administers of the Customs, and others of divers Duties which are received for the Fruits and Merchandises, do use when any body doth Inform, to have the person Imprisoned which sheweth himself to be party, whereby happeneth
to

to Men of Trade great Discredit, Charges, and Vexations; My Will is, and I do Command, That in the said Information there shall be onely proceeded against the Merchandises, and not against the Persons; but they shall be permitted (as I do permit them) to make, and they shall make their Defences in the said Vexation. And forasmuch also, as according to an Article of the said Peate, which maketh mention of Matters in Religion, notwithstanding that in some Suits they should declare whether they be *Roman-Catholicks* or not, excusing themselves to give Faith to others which they take as Parties or as Witnesses;

I do also Command, That concerning this Matter there be not done, nor there shall not be done, any thing with those which are born in the said Realm, but onely that the said Condition be kept and accomplished, and that no such Questions be put unto them, giving unto the Oaths which they shall take in Judgment Court, and without, the same Faith and Credit which should be given in case they were *Spaniards*; and herein you shall not receive any trouble or molestation, nor there shall not be any grievance done unto you: And whereas for the justification of some Causes, the Judges and Justices do pretend that the Merchants of the said Nation should exhibit Books of their Contractions or Dealings; I do Will and Command, That the Books of the Merchants of the said Nation shall not be taken out of their hands for any cause whatsoever, but they shall keep and shew them in their Houses, to take out the Parcel which shall be appointed, and others shall not be demanded of them, nor there shall not be any other Papers taken from them, upon Penalty that he which shall do

do here against, shall be punished according to Law.

And forasmuch as the Merchants do dispatch the Merchandise from the Custom-house of the said City of *Sivill* of all Duties, and because there are many which do make up a Sheet, which is Subscribed and Signed by all the Officers, and remaineth in the hand of the *Alcayde* of the Custom-house; for that by virtue thereof the Merchandises are permitted to go forth, which are in Fardels, Packs, Trunks and Cases; and afterwards when they have taken them forth, and put them into their Houses and Warehouses, the chief Keeper of the Custom-house, and the Officers of the half *per Cent.* do visit the House and Goods, troubling and molesting them, demanding of them the Dispatches, it seeming unto them that they may detain them, because they left the Dispatch in the hands of the said *Alcayde* of the Custom-house; I do Prohibit and Command, That the Houses of the said Merchants shall not be visited, nor the Dispatches shall not, nor may not be demanded of them, in regard they have them not in their hands; and this is to be understood, and is understood of Houses which are within the Walls of the said City; And to the end it may be known to you which are of the *English* Nation, there is to be delivered unto you Copies of the said Priviledges and Exemptions which do concern you, and which were Granted unto you, as well by the Articles of Peace, as by any other manner. And for execution and accomplishment of all the Premisses, I do Command those of my Council, and those of my Councils, Assemblies and Tribunals of my Court, and the Presidents and Judges of my Audiences, *Alcaydes*, and Officers of my House and

and Court, and Chanceries, and the Regent and Judge of the Court of Degrees of the City of *Sivil*, and chief *Alcaldes* of the Precincts thereof, and all the *Corrigidors*, Assistants, and Governours, chief Justices and Ordinaries, as well in the said Cities of *Sivil*, *Cadiz*, *Malaga*, and *St. Lucar de Barameda*, as of all other Cities, Towns and Places of these my Realms and Dominions, and all other Judges and Justices whatsoever, of what Quality or Condition soever they may be, whom principally or incidentally may concern in any manner the accomplishment or performance of that which is contained in this Patent, that presently so soon as they shall be by virtue thereof required, or the Copy thereof Signed by a Notary publick, that there be thereunto given as much faith, as unto the Original; and that every one in the Place where it shall concern him do observe, and accomplish, and cause the same to be observed, accomplished, and executed, in and for all things as therein is contained, and they shall not in all nor in part put upon you any Impediments, nor any other Difficulties or Doubts, nor do any thing against the tenor and form thereof, nor consent or give way that it be interpreted, limited or suspended in all or in part, or that to the contrary be given any *Sedidas*, Provisions, or other Dispatches: but for observation thereof, in the Place which shall concern every one, they shall give order, and ordain to deliver unto you those which shall be necessary: And for more firmness and validity of the Favour and Grace which by this my Patent I do Grant you, and that at all times this Favour may be certain and sure unto you, you are to keep or have a Judge Conservator in *Andaluzia*, especially

cially in the said Cities of *Sivill, Malaga, Cadix*, and *St. Lucar de Barameda*, unto whom I am to give sufficient Commission for keeping and accomplishing the said Priviledges, Liberties and Exemptions, who shall constrain and compel all and whatsoever persons, of what sort or quality they may be that shall concern the said Nation, as well those which shall be Defendants accused, as those which shall be Plaintiffs, although the persons which shall accuse them, and which shall be accused by them, have private Judges, as well by Consent as Agreement which they may have made by Pre-eminence or Priviledge which they hold, to the end the said Judge Conservator may onely take knowledge privately of the said Courts, and not any other Judge or Tribunal, although it be by way of excess or notorious Justice, or in any other matter or form; which Judge Conservator is now Doctor *Don Francisco de Vergara*, Judge of my Court *de les Grados*, of the City of *Sivill*, the time that he shall assist therein, and in his absence the Licentiate *Don Francisco de Modrano*, Judge of the same Court, who for the Suits which shall be commenced in the said Cities of *Cadix, Malaga*, and *St. Lucar*, is to Subdelegate his Conservatorship, in the person which by the said Nation shall be propounded or named, that he may effect the same to the conclusion, and they shall be referred unto him to be determined: and of that which he shall determine, the Appeal is to be made to my Council, and not to any other Court.

And forasmuch as my Will is, That every one in his time shall have primitive Commission, and Jurisdiction to protect and defend you concerning all the Contents of this my Patent, that all the
 same

same may be kept and accomplished in the form which I do offer the same unto you, I have found good to charge, as by these Presents I do charge them with the protection and defence hereof: And I do Command them to see or peruse this my Patent, and the Qualities, Conditions, Preeminencies, and Amplifications therein contained, and to cause all the same to be kept, accomplished and executed, in such form and manner, and according as therein is contained and declared, without consenting or giving way, that in all, or in part there be made unto you any Doubt or Difficulty, and before the said *Don Francisco de Vergara*, or in his absence, before the said *Francis de Medrano* (and not before any other Judge) privately in the first instance, are to pass, and be followed all the Causes and Suits, which concerning the Premises, or any thing or part thereof shall be moved and caused, and the execution and punishment of those which shall not be obedient; For my Will is, that the knowledge and determination of all the Contents in this my Patent, is in all things privately to concern, and shall concern them; proceeding in all things against those which shall be culpable, and executing for the same the Penalties which are mentioned by Law, reserving as I do reserve, the Appellations which shall be put in upon their Acts and Sentences, to my Council, and not any other Court, without that any of other my Councils, Tribunals, Courts, Chanceries, or any other Judges or Justices of my Realms or Dominions, of whatsoever quality they be, may meddle, or shall meddle therewith, or in the use or exercise of the Jurisdiction privative in the said first instance, which by this my Patent I do Grant unto them, by

way of excess, appellation, or any other recourse or manner ; the which and every of them, I do inhibit and hold for inhibited the knowledge thereof, and do declare them for incompetent Judges thereof : for which and every thing, and part thereof, I do give them the most sufficient Power, and most ample Commission, which according to Law is required and necessary, with the Incidencies and Dependencies, Annexities ; and after them the said *English* Nation of the said City of *Sivil*, may name in the said Commission one of the Judges of the said Audience, which the said Nation shall chuse : And I do Command the President, and those of my Council of the Chamber, that Presenting before them their Nomination (the case happening) to make void the said Commission, by Promotion or Vacation of the said *Don Francisco de Vergara*, and *Don Francis de Medrano*, or to dispatch it in any other manner, by Ordinary to him that shall be therein nominated, in the form according, and as by this my Patent is declared. And that it may be the better accomplished, I do from this time give them Power and Authority, that they may Subdelegate, and they shall Subdelegate this Commission, for the Business and Suits which shall be offered in the said Cities of *Cadiz*, *Malaga*, and *St. Lucar de Barameda*, in the Person which by you shall be propounded unto them, that they may substantiate them for a conclusion, and remit the Suits and Causes unto them to be determined, in such manner as they shall find good and convenient, for the security of that which is contained in this my Patent. And I do charge the most excellent Prince *Don Balthazar Charles*, my most dear and most beloved Son, and do Command the Infants, Prelates,

Prelates, Dukes, Marqueſſes, Earls, Richmen, Commanders, and Under-Commanders, Governours of Caſtles, ſtrong Houſes, and Plains, and thoſe of my Council, Preſidents, and Judges of my Courts, Alcaydes, and Officers of my Houſe, Court and Chanceries, and all the Corrigidors, Aſſiſtants, Governours, Alcaldes, Mayors, and Ordinaries, and whatſoever Judges and Juſtices of theſe my Realms and Dominions, to obſerve and accompliſh, and cauſe to be obſerved and accompliſhed, this my Patent, and the Favour or Grace which thereby I do Grant you, and againſt the tenor and form thereof, not to do or paſs, now, nor at any time, in any manner perpetually for evermore. Nor to conſent or give way to be limited or ſuſpended unto you, all or part thereof, notwithstanding whatſoever Laws or Statutes of theſe my Realms and Dominions, Ordinances, Stile, Uſe, or Cuſtom of the ſaid Cities of *Sivill, Cadiz, Malaga*, or *St. Lucar*, or any other thing which is or may be to the contrary ; the which for this time, forſomuch as concerneth this matter, holding the ſame here for inſerted and incorporated, as it were word for word written, I do diſpence, abrogate, derogate, cancel, annihilate, and make void and of none effect, remaining in full force and effect for all other things henceforward. And for this my Patent *Jeronimo de Canencia*, Auditor of Accompts in my chief Office of Accompts, and my Secretary of the Mediaenate, ſhall take a Copy, at whoſe Charge is the Accompt and reaſon of this Right. And I do declare, that for this Favour you have paid the Duty of the Mediaenate, which amounteth to Thirty and five thouſand one hundred fifty and five *Maravediz* in Silver : which Sum you are to pay from Fifteen
to

to Fifteen years perpetually, and in case they do accomplish or end, you may not make use of this Favour, until such time as it shall first appear that you have satisfied this Duty. And you are also to pay the Judge Conservator, which shall be named, his Salary, or to help to bear his Charges, which he shall enjoy for his labour or pains in the said Business, before you shall enjoy thereof, which is to appear by Certificate of the Office of this Duty. Given in *Saragosa*, the Nineteenth day of *March*, Anno 1645.

I *The King*, I Anthony Carnero, Secretary of the King our Lord, did cause it to be written, by his Commandment. Registred, Michael de Lariaga, Lieutenant of the Lord High Chancellor. Michael de Lariaga. The Copy was taken Jeronimo de Canencia; Don John Chumazero y Carillo, Doctor. Don Anthony de Campo Redondo y Rio, Licenciate.

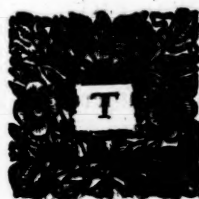
JOSEPH GONSALES.

THis Copy doth agree with that out of which it was taken, which for this effect was exhibited unto me by *William Bland*, dwelling in the City of *Sivil*, who took it away again with him the 11. of *April*, Anno 1645.

Joseph de Pineda, Notary Publick of the City of *Sivil* for the King.

Articles of Peace and Alliance between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. and the Most Serene and Mighty Prince, Lewis XIV. The Most Christian King. Concluded the 31st day of July, 1667.

I.



That there be an Universal, Perpetual, True and Sincere Peace and Amity between the Most Christian King and the King of Great Britain, their Heirs and Successors, and between the Kingdoms States, and Subjects of both ; and that the same be so sincerely and seriously observed and kept, that one shall promote the Honour and Advantage of the other ; And that a faithful Neighbourhood, and secure observation of Peace and Friendship may flourish again on every side.

Peace and Amity restored.

II.

That all Enmities, Hostilities, Discords and Wars between the said Kings and their Subjects, cease and be abolished ; so as they both do forbear and abstain hereafter from all Plundering, Depredation, Harm-doing, Injuries and Infestation whatsoever, as well by Land as by Sea, and in Fresh-waters, every where ; and especially through all Tracts, Dominions and Places of eithers Kingdoms and Territories, of what Condition soever they be.

Cessation of Hostilities.

III. That

III.

All Injuries to
be forgotten.

That all Offences, Injuries, Damages, which either of the said Kings or their Subjects have suffered from the other during this War, be buried in Oblivion ; so that neither in regard of them, nor for the cause or pretence of any other thing, neither Party, nor the Subjects of either, shall hereafter do or cause to be done or made, any Hostility, Enmity, Molestation or Hindrance to the other, by himself or by others, secretly or openly, directly or indirectly, by colour of Right or way of Fact.

IV.

Freedom of
Trade and
Navigation.

That the use of Navigation and Commerce be free between the Subjects of both the said Kings, as it was anciently in the time of Peace, and before the Denunciation of the late War ; so that every one of them may freely come into the Kingdoms, Provinces, Marts, Ports and Rivers of either Party, bringing their Merchandise, and Converfing and Trading there without Molestation.

V.

Prisoners re-
leased.

That all Prisoners on either side, of what Degree, Dignity or Condition soever, be forthwith set at liberty without Ransom or any other Price of their Freedom ; Provided they pay what is lawfully due for Diet or other Cause.

VI.

All Acts made
against the
liberty of
Trade, Re-
voked.

That all Proclamations and Acts which by reason of this War either Party hath published, to the prejudice of either, against the liberty of Navigation and Trade, be abrogated on both sides.

VII. That

VII.

That the Most Christian King shall with all speed, or at the furthest within Six months, to be reckoned from the Day of Subscribing this present Agreement, restore unto the King of *Great Britain*, or unto such as to that purpose shall receive his Commands duely Passed under the Great Seal of *England*, that part of the Isle of *St. Christophers* which the *English* possessed the First of *January* 1665. before the Declaration of the late War; and to that end the said Most Christian King shall immediately upon the Ratification of the same Agreement, deliver or cause to be delivered unto the said King of *Great Britain*, or such Ministers of his as shall be thereunto appointed, all necessary Instruments and Orders duely dispatched.

Restitution of
St. Christophers.

VIII.

But if any of the Subjects of the said King of *Great Britain* shall have sold the Goods which he possessed in that Island, and the Price of the Sale hath been paid unto him; he shall not be restored and put into possession of those Goods by virtue of the present Agreement, before he hath actually paid back the Price or the Money he hath received.

If any person have sold his Goods there, he shall repay the Money before he be restored.

IX.

But if it happen (which yet is not known hitherto) that the Subjects of the said Most Christian King are beaten out of the said Island of *St. Christophers*, by the Subjects of the above-mentioned King of *Great Britain*, before or after the Subscription of the present Agreement: Nevertheless, things shall be restored unto that state and condi-

All things in that Island to be put in the

same state as
they were in
1665.

tion wherein they were in the beginning of the Year 1665. that is, before the Declaration of the War now determining: and the said King of *Great Britain*, as soon as he hath notice thereof, shall without any delay deliver, or cause to be delivered unto the above-mentioned Most Christian King, or his Ministers thereunto appointed, all Instruments and Orders duely made, which are necessary for that Restitution.

X.

Restitution of
Acadia to the
French.

Also, That the said King of *Great Britain* do likewise restore unto the said Most Christian King, or unto such as to that purpose shall receive his Command duely passed under the Great Seal of *France*, the Country which is called *Acadia*, lying in *North-America*, which the said Most Christian King did formerly enjoy: And to that end, the said King of *Great Britain* shall immediately upon the Ratification of this Agreement, deliver or cause to be delivered unto the said Most Christian King, or such Ministers of his as shall be thereunto appointed, all Instruments and Orders duely dispatched, which shall be necessary to the said Restitution.

XL

Such Inhabi-
tants as shall
desire to leave
the Place, may.

But if any of the Inhabitants of that Country called *Acadia*, shall rather desire to be hereafter under the Dominion of the King of *Great Britain*, it shall be lawful for such to depart within the space of One year, to be counted from the Day of the Restitution of that Country, and to sell, alienate, or otherwise dispose as they please, their Lands, Grounds, Slaves, and all their Goods moveable or immoveable; and such persons as shall Contract with

with them for the same, shall be forced to make good such Contracts by the Most Christian Kings Authority : But if they shall rather choose to carry away with them their Money, Householdstuff, Vessels, Slaves, and all their Moveables ; it shall be free for them so to do, without any hindrance or molestation whatsoever.

XII.

Also the Most Christian King shall in like manner restore unto the King of *Great Britain* the Islands called *Antigoa* and *Monzarat* (if they be in his power) and any other Islands, Countreys, Forts and Colonies, which may have been gotten by the Arms of the Most Christian King, before or after the Subscription of the present Treaty, and which the King of *Great Britain* possessed before he entred into the War with the States General (to which War this Treaty doth put an end.) On the other side, the said King of *Great Britain*, shall after the manner aforesaid, restore unto the above-mentioned Most Christian King all Islands, Countreys, Forts, and Colonies, any where situate, which might be gotten by the King of *Great Britains* Arms, before or after the Subscription of the present Agreement, and which the Most Christian King possessed before the First of *January*, 1665.

Reciprocal
Restitution of
Places taken.

XIII.

But if any of those Servants and Slaves that Served the *English* in that part of the Isle of *St. Christophers* which belonged to the foresaid King of *Great Britain*, as also in the Islands called *Antigoa* and *Monzarat*, when they were taken by the Arms of the foresaid Most Christian King, shall desire to re-

Slaves and
Servants may
return to their
Masters, if
not sold.

turn again unto the Subjection of the *Engliſh* (yet without all force or constraint) it ſhall be free and lawful for them ſo to do within the ſpace of ſix Months, to be reckoned from the Day on which the ſame Iſlands ſhall be reſtored. But if the *Engliſh* before they went off of the ſaid Iſlands, ſold ſome Servants, and the Money was paid for them ; thoſe Servants are not to be reſtored upon other Terms, but that the Price be reſtored and repaid.

XIV.

Souldiers, Labourers, &c.
the ſame.

In like manner, if ſome of the foreſaid King of *Great Britain's* Subjects (who were not reckoned amongſt Servants and Slaves) ſhall hire themſelves in the quality of a Souldier, a Labourer, or under whatſoever other Title, to the foreſaid Moſt Chriſtian King, or any one of his Subjects that dwelleth in the foreſaid Iſlands, Covenanting for Wages by the Year, the Month, or the Day ; After the Reſtitution of the Iſland or Iſlands, ſuch hiring of ones ſelf or Obligation is to ceaſe, Wages being received after the Rate of Labour already performed, and it ſhall be free for them to return unto their Countrymen, and live under the Dominion of the King of *Great Britain*.

XV.

Articles of Reſtitution to extend to all Places.

Whatſoever is reſolved concerning the foreſaid Iſlands, it is to be underſtood that it is in like manner reſolved concerning all other Iſlands, Forts, Countries, and Colonies, and the Subjects and Servants living therein, whom and which the above-mentioned Moſt Chriſtian King ſhall have gotten by his Arms, or ſhall get before or after the Subſcription of this Treaty, if ſo be the ſaid King of *Great Britain*

Britain possessed them before he entred into the War with the States General, which War is ended by this Treaty. On the other side, the same is also understood to be resolved in relation to those Islands, Countries, Ports, and Colonies, and Subjects and Servants living there, who or which belonged unto the above-mentioned Most Christian King before the First of *January*, 1665. and whom or which the above-mentioned King of *Great Britain* shall have gotten, or shall get by his Arms before or after the Subscription of this Treaty.

XVI.

That all Letters as well of Reprizal, as of Marque and Countermarque, which hitherto have been granted on either Side for any Cause, shall be and be held null and void ; Nor shall any the like Letters be hereafter granted by either of the said Kings against the Subjects of either ; unless it be first made manifest that Right hath been denied ; and unless he who desires Letters of Reprizal to be granted unto him, do first draw and present his Petition to the Minister residing in the Name of that Kingdom against whose Subjects those Letters are desired ; that he within the space of four Months, or sooner, may enquire into the contrary, or procure that Satisfaction be with all speed made from the Party offending to the Complainant. But if that Kingdom against whose Subjects Reprizals are demanded, have no Minister residing there, Letters of Reprizal are not to be granted till after the space of four Months, to be reckoned from the Day whereupon his Petition was made and presented to the King against whose Subjects Reprizals are desired, or to his Privy Council.

Letters of
Marque re-
voked.

Not to be
granted but
four Months
after the de-
cision of Justice.

XVII. Then

XVII.

This Peace,
when to take
effect.

Then to cut off all matter of Quarrel and Contentions which might arise in regard of the Restitution of Ships, Merchandise, and other Moveables which either Party may complain to be taken and detained from the other in Countries and Coasts far distant, after the Peace is concluded, and before it be notified ; All Ships, Merchandise, and other Moveables which shall or may be gotten by either Side after the Subscription and Publication of the present Agreement, within the space of Twelve Days in the Neighbouring Seas ; within the space of Six Weeks from the said Neighbouring Seas unto the Cape of *St. Vincent* ; then within the space of Ten Weeks beyond the said Cape on this side of the *Equinoctial Line* or *Aequator*, as well in the Ocean and *Mediterranean Sea*, as elsewhere ; Lastly, within the space of Six Months beyond the Bounds of the foresaid Line through the whole World ; shall be and remain unto the Possessors without any exception, or farther distinction of Time or Place, or any consideration to be had of Restitution or Compensation.

XVIII.

In case of a future War, Six Months to be allowed the Merchants to Transport their Goods.

But if (which God of his mercy forbid) the Differences now Composed between the said Kings should at any time fester, and break out again into open War, the Ships, Merchandise, or any kind of Moveables of either Party, which shall be found to be and remain in the Ports, and under the Command of the adverse Party on either Side, shall not be Confiscated, or made obnoxious to any Inconvenience, but the space of Six Months shall entirely

entirely be allowed to the Subjects of either of the said Kings, that they may carry away and Transport the foresaid things, and any thing else that is theirs, whither they shall think fit, without any molestation.

XIX.

Under this present Treaty of Peace shall be comprehended those who shall be named by either Party with common consent before the Exchange of Ratifications, or within Six Months after. But in the mean time both Parties are well pleased that the King of *Sweden* as Mediator, be comprehended, and he is comprehended.

Who shall be comprehended in this Treaty.

XX.

Lastly, The Solemn Ratifications of this present Agreement and Alliance, made in due Form, shall be delivered on both Sides, and mutually and duely Exchanged at *Breda* within the space of Three Weeks, to be reckoned from the Day of the Subscription.

Ratifications Exchanged.

Done at Breda the 21 day of July, 1667.

The first of these is the fact that the United States is a young nation, and that its history is a history of growth and development. The second is the fact that the United States is a nation of immigrants, and that its history is a history of the struggle for the rights of these immigrants.

The third is the fact that the United States is a nation of free men, and that its history is a history of the struggle for the rights of these men. The fourth is the fact that the United States is a nation of free women, and that its history is a history of the struggle for the rights of these women.

The fifth is the fact that the United States is a nation of free people, and that its history is a history of the struggle for the rights of these people. The sixth is the fact that the United States is a nation of free states, and that its history is a history of the struggle for the rights of these states.

The seventh is the fact that the United States is a nation of free citizens, and that its history is a history of the struggle for the rights of these citizens.

The eighth is the fact that the United States is a nation of free subjects, and that its history is a history of the struggle for the rights of these subjects.

The ninth is the fact that the United States is a nation of free people, and that its history is a history of the struggle for the rights of these people.

The tenth is the fact that the United States is a nation of free states, and that its history is a history of the struggle for the rights of these states.

The eleventh is the fact that the United States is a nation of free citizens, and that its history is a history of the struggle for the rights of these citizens.

The twelfth is the fact that the United States is a nation of free subjects, and that its history is a history of the struggle for the rights of these subjects.

Articles of Peace and Alliance between the Most Serene and Mighty Prince Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the Most Serene and Mighty Prince, Frederick III. King of Denmark and Norway, Concluded ²¹/₃₁ day of July, 1667.

I.



It, It is Covenanted, Concluded Perpetual Peace.
and Agreed, That there be from
this Day a perpetual, firm, and
inviolable Peace between the
Most Serene and Most Mighty
Prince, *Charles the Second*, King
of *Great Britain*, and the Most Se-
rene and Most Mighty Prince *Frederick the Third*,
King of *Denmark* and *Norway*, between their Heirs
and Succéssors, and their Kingdoms, Principalities,
Earldoms, Islands, Cities, Forts, Lands, Subjects
and Inhabitants of what State and Quality soever :
And so as to maintain and promote each others
good no less then their own, and to avert and hin-
der with all possible study the damage and destru-
ction of one another. And in this respect it shall be
free for the Subjects of either King to exercise a
mutual Navigation and Commerce without mo-
lestation, and with their Merchandises to come to
each others Kingdoms, Provinces, Marts, Ports, and
Rivers, and there to abide and Traffick.

II.

At this present shall cease between the aforesaid
G Kings,

Hostilities to
cease, when
and where.

Kings, and their Kingdoms, Principalities, Earldoms, People, and Subjects, both by Land and Sea, all Enmity, War, and Hostility, that is to say, in the Northern Ocean, and in the *Baltick* Sea and the Channel, within Twenty one Days; from the Mouth of the said Straight or Channel to the *Cape of St. Vincent*, within Six Weeks; and then within the space of Ten Weeks beyond the said Cape on this side the *Equinoctial Line* or *Equator*, as well in the Ocean as the *Mediterranean Sea*: Finally, within the space of Eight Months beyond the Bounds of the aforesaid Line all over the World, without any exception or further distinction of Time or Place; all Days, Weeks, and Months to be computed from the Subscription of the present Agreement; and the Publication of the same here made at *Breda*. And whatsoever shall be taken and seized after the aforesaid Days by either King or their Subjects, to whom Commissions have been granted, it shall be wholly restored back again to him or them from whom the same was taken; and furthermore, full Satisfaction shall be made for the Damages to him or them thereby arising, or the Charges they have been at; and every person herein offending shall be punished as his Offence deserves.

Restitution of
what shall be
taken after
these Terms
respectively.

III.

Injuries to be
forgotten.

It is also Agreed and Concluded, That all Differences on both Sides, Suspitions, and Ill-will, both on the part of the Most Serene King of *Great Britain*, and on the part of the Most Serene King of *Denmark*, &c. and likewise for singular the Ministers, Officers, and Subjects of them, be buried and abolished by a perpetual Oblivion. And further from this present shall expire, be annulled and for ever

ever cancelled all Damages, Offences, Injuries by Word or Writing, that either the one has done the other, or has been suffered by the one from the other, from the very first beginning of the now ceasing War to this Day, and the determined point of Time wherein all Dissentions, Discords, Differences and Enmities shall cease and be laid aside: By name, the Assault and Defence made at *Bergen in Norway*, and in whole, whatsoever either followed from thence; or does thereon depend; in such manner, as that neither of the said Parties by reason of any Damage of this kind, Offence, or Charges, do under any pretence whatsoever cause the other any trouble, much less for this cause endeavour or attempt any kind of Hostility.

IV.

All Prisoners on both Sides of whatsoever Fortune or Rank, shall be forthwith set at liberty without any Ransom.

Prisoners to be released.

V.

All Ships, Goods, or the like, that in this turbulent Season, in the heat of this very War between both the above-mentioned Kings and their Subjects, have been taken by the one from the other, or that either Party has Confiscated and Seized of the Goods and Pretensions of Persons or Subjects of the other Nation; as also all the Expences of War on both Sides, shall be compensated by a like mutual Abolition. In such manner, as are together comprehended in this Compensation, those Debts of the Subjects of the King of *Great Britain*, which have been on the part of *Denmark* Confiscated; but in this sense, That whatever Debts of this kind unto the Tenth Day of *May* Old Stile, and Twen-

Concerning the Goods and Debts that have been Confiscated.

Abolition of
a Debt due
from *Denmark*
to the Parlia-
ment of *En-*
gland.

tieth New Stile, by virtue of Confiscation or Reprisals have been by Subjects paid and Received, do remain utterly abolished and satisfied; and that it be not lawful for the Creditors of such Debts for the future to pretend any thing upon this account, much less to urge payment of such for any reason, or under any pretence whatsoever. But of such Debts as on the said Day have not been paid and received, it shall be lawful for the Creditors, Subjects of the King of *Great Britain*, to demand and prosecute the Payment, by the ordinary way of Justice. Excepting nevertheless 120000 Rixdollars, more or less (namely accruing from a certain Controversie, which arose between *Christian* the Fourth of most glorious Memory, King of *Denmark* and *Norway*, and the Parliament of *England*, by reason of sending Aid to *Charles* the First of most glorious Memory, King of *Great Britain*) for which the King of *Denmark* and *Norway* bound himself, and gave his Bond to a Company of certain *English* Merchants Trading at *Hamburg*, and there either now living, or that have heretofore lived; which Claim of 120000 Rixdollars or thereabouts, being Confiscate, shall be now by virtue of the present Treaty accounted as null, dead, and utterly abolished; in such manner, that the Creditors of that Debt are not either now, or at any time hereafter therefore to demand or pretend any thing. In like manner as is also Covenanted and Agreed in most significant Words, That no Pretension shall be at any time made, by reason of such Ships and Goods so Seized, and Debt or Money Lent, in such manner as aforesaid Abolished and Confiscated; but that all shall on both Sides by a Solemn Compensation be for ever accounted as null and void:

void: Yet so, that Lands and immoveable Goods be not comprehended in the aforefaid Voidance and Annulation, but that they be without any difficulty or impediment restored back to those, who before the Denouncing of the present War were the Possessors and Proprietors of them.

VI.

It is Covenanted and Agreed on both Sides, That under the last mentioned Compensation, neither Countries, nor Islands, nor Cities, nor Forts, nor Ports, nor other like Places, are to be understood. But if it shall be found, That either Party during this War hath either taken any such, in or out of *Europe*, or may yet take within the time limited in the second Article, whatsoever it be, it shall be without any Compensation and Loss, together with all, even the smallest things thereto appertaining, forthwith restored to him whose it was before, and in the same Condition wherein it was then when it was taken, without tergiversation, delay, or any kind of pretence.

Restitution of
Places.

VII.

Under this present Treaty of Peace shall be comprehended those, who before the Exchange of Ratifications, or afterwards within Six Months shall be by common Consent nominated by both Parties. And as the Covenanting Parties do thankfully acknowledge the Friendly Offices and unwearied Endeavours, whereby the Most Serene King of *Sweden* interposing his Mediation, hath through the Assistance of God promoted and carried on this beneficial Work of Pacification unto the desired Conclusion; So to testify their like Affection,

Who shall be
comprehend-
ed in this
Treaty.

Affection, It is Decreed and Covenanted by the common Consent of all the Parties, That his above-mentioned Majesty of *Sweden*, with all his Kingdoms, Dominions, Provinces and Rights, be included in this Treaty, and comprehended in the present Pacification, after the best and most effectual manner that may be.

VIII.

These Articles to be observed by both Kings.

Ratifications to be Exchanged.

Lastly, It is Concluded, Covenanted and Agreed, That the foresaid Most Serene and Most Potent Kings shall sincerely and *bona fide* observe all and singular the Articles contained and established in this present Treaty, and shall cause the same to be observed by their Subjects and Inhabitants, neither shall they directly or indirectly transgress them, or suffer them to be transgressed by their Subjects or Inhabitants directly or indirectly : And they shall Ratifie and Confirm all and every thing as they are above Covenanted, by Letters Patents Subscribed with their Hands, and Corroborated with their Great Seals, conceived and written in sufficient, valid, and effectual Form, and shall reciprocally deliver, or cause the same to be delivered here at *Breda*, *bona fide*, really and effectually within the space of Four Weeks next ensuing the Date of these Presents, or sooner if it may be done.

Breda the 21st day of July, 1667.

Articles of Peace and Alliance between the Most Serene of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General of the United Netherlands, Concluded the 11 day of July, 1667.

P First, That from this Day there be a true, firm, and inviolable Peace, sincere Friendship, a nearer and firmer Alliance and Union between the Most Serene King of Great Britain, and the High and Mighty States General of the United Provinces of the Netherlands, and the Lands, Countries and Cities under the Obedience of both Parties, wheresoever situate, and their Subjects and Inhabitants, of what Degree soever they be.

A firm Peace concluded.

II.

Also, That for the time to come, all Enmities, Hostilities, Discords and Wars between the said Lord the King, and the foresaid Lords the States General, and their Subjects and Inhabitants, cease and be abolished; And that both Parties do altogether forbear and abstain from all Plundering, Depredation, Harm-doing, Injuries and Infection on whatsoever, as well by Land as by Sea, and in Fresh-waters, every where; and especially through all Tracts, Dominions, Places and Governments

Enmities to cease.

(of

(of what Condition soever they be) within the Jurisdiction of either Party.

Injuries to be forgiven.

Also, That all Offences, Injuries, Damages, Losses, which His said Majesty and His Subjects, or the foresaid States General and their Subjects have on either Side sustained during this War, or at any time whatsoever heretofore, upon what Cause or Pretence soever, be buried in Oblivion, and totally expunged out of Remembrance, as if no such things had ever past.

Both Parties to keep what they have.

Furthermore that the foresaid Peace, Friendship and Alliance may stand upon firm and unshaken Foundations, and that from this very Day all Occasions of new Dissention and Difference may be cut off; It is further Agreed, That both the Parties and either of them, shall keep and possess hereafter with plenary Right of Sovereignty, Propriety and Possession, all such Lands, Islands, Cities, Forts, Places, and Colonies (how many soever) as during this War, or in any former Times before this War, they have by Force of Arms, or any other way whatsoever, gotten and detained from the other Party; and that, altogether after the same manner as they had gotten and did possess them the day of *May* last past, none of the same Places being Excepted.

IV.

Ships, Goods, &c. to remain to the Possessors.

Moreover, That all Ships, with their Furniture and Merchandise, and all Moveables, which during this War, or at any time heretofore have come into the Power of either of the forementioned Parties or their Subjects, be and remain to the present Possessors,

Possessors, without any Compensation or Restitution ; so as each one become and remain Proprietor and Possessor for ever of that which was so gotten, without any Controversie, or Exception of Place, Time, or Things.

V.

Moreover, That all Actions, Suits, and Pretensions, whatsoever they be, or in what manner soever they have been restrained, circumscribed, defined or reserved in any Articles of Peace or Alliance already made, (and especially in the fifteenth Article of that Treaty which was Signed in the Year 1662.) which His said Majesty and the said States General, or their Subjects, may or would prosecute or move against one another about such matters or things as have happened during this War, or in any former Times as well before as after the foresaid Treaty of 1662. until the Day of this present Alliance, be and remain void, obliterated and disannulled ; As His said Majesty and the said States General shall declare, and they do hereby declare, That by vertue of these Presents, they will for ever totally renounce, even as hereby they do renounce all such Actions, Suits and Pretensions for themselves and their Successors, so as in regard of them nothing more may or ought ever to be urged on either Side, and nothing to be moved thereupon hereafter.

All Actions, Suits, and Pretensions, renounced.

VI.

But if after the ¹⁰ day of *May*, expressed in the precedent third Article, or after the Peace is made, or this Treaty Signed, either Party shall intercept and get from the other any Lands, Islands, Cities, Forts, Colonies, or other Places whatsoever,

H

and

Places taken since the ¹⁰ of *May*, to be restored.

and every of them, without any distinction of Place or Time, shall be restored *bona fide* in the same state and condition wherein they shall be found to be at the Time whensoever it shall be known in those Places that the Peace is made.

VII.

Hosilities,
when to cease.

But to avoid all matter of Strife or Contention hereafter, that useth sometimes to arise concerning the Restitution or Liquidation of such Ships, Merchandise, and other Moveables, as both Parties or either of them may pretend to have been taken or gotten in Places and Coasts far distant, after the Peace is concluded, and before it be notified unto those Places; It is Agreed, That all such Ships, Merchandise, and other Moveables, which may chance to fall into either Parties hands after the Conclusion and Publication of the present Instrument, in the Channel or *British* Sea, within the space of Twelve Days, and the same in the North Sea; and within the space of Six Weeks, from the Mouth of the Channel unto the *Cape of St. Vincent*; as also within the space of Ten Weeks beyond the said *Cape*, and on this side the *Equinoctial Line* or *Equator*, as well the Ocean and *Mediterranean* Sea, as elsewhere; and from thence within the space of Eight Months, beyond the terms of the foresaid *Line* throughout all the World; shall be and remain unto the Possessors, without any exception or further distinction of Time or Place, or any regard had to the making of Restitution or Compensation.

VIII.

Letters of
Marque revo-
ked.

It is also Agreed, That under the foresaid Renunciation and Stipulation, all Letters whatsoever
of

of Reprizal, Marque and Counter-Marque, both general and particular, and others of that kind, by virtue whereof any Hostility may be exercised for the future, ought also to be reckoned and comprehended; and by the Publick Authority of this Alliance they are inhibited and revoked. And if any persons of either Nation, after such Revocation, shall nevertheless, under pretence or authority of such Letters or Commissions already revoked, design any new Mischief, or act any Hostility, after the Peace is made, and the Times specified in the precedent seventh Article are elapsed; they are to be looked upon as Disturbers of the Publick Peace, and punished according to the Law of Nations, besides an entire restitution of the Thing taken, or full satisfaction of Damages, to which they shall be liable; notwithstanding any Clause whatsoever to the contrary, which may be inserted in the said Letters revoked as aforesaid.

IX.

And whereas in Countreys far remote, as in *Africk* and *America*, especial in *Guiney*, certain Protestations and Declarations, and other Writings of that kind, prejudicial to the Liberty of Trade and Navigation, have been emitted and published on either Side by the Governors and Officers in the Name of their Superiours; It is in like manner Agreed, That all and every such Protestations, Declarations, and Writings aforesaid, be abolished, and held hereafter for null and void; and that both the above-mentioned Parties, and their Inhabitants and Subjects, use and enjoy the same Liberty of Trade and Navigation, as well in *Africa* as in *America*, which they used and enjoyed, or of right

Liberty of
Trade resto-
red in *Africa*
and *America*.

might use and enjoy at that time when the Treaty of the Year 1662. was Subscribed.

X.

All Prisoners
set free.

Also, That Prisoners on both Sides, one and all, of what Degree, Dignity, or Condition soever they be, shall be set at Liberty, without Ransom or any other Price of their Freedom; Provided satisfaction be made by them for Debts which they have contracted for Diet or any other lawful Cause.

XI.

Mutual De-
fence.

That the said King of *Great Britain*, and the said States General remain Friends, Confederate, United and Allied, for the defence and preservation of the Rights, Liberties, and Immunities of either Ally and their Subjects, against all whomsoever, who shall endeavour to disturb the Peace of eithers State by Sea or Land, or such as living within eithers Dominions, shall be declared Publick Enemies to either.

XII.

Not to Treat
or Attempt
any thing a-
gainst each o-
thers, preju-
dice, nor any
way to favour
the same.

That neither the said King of *Great Britain*, nor the said States General shall Act, Do, Endeavour, Treat or Attempt any thing against the other, or the Subjects of either, any where by Land or Sea, or in any Ports, Liberties, Creeks, or Fresh-waters, upon any occasion whatsoever; And that neither they nor the Subjects of either of them, shall give, afford, or supply any Aid, Counsel or Favour, nor consent that any thing be Done, Treated or Attempted by any other whosoever, to the harm or prejudice of the other, or the Subjects of either; but shall expressly and actually oppose, contradict, and

and really hinder all whomsoever, Residing or Dwelling in either the respective Dominions, who shall Act, Do, Treat, or Attempt any thing against either of them.

XIII.

That neither the said King, nor the said Commonwealth, nor any of the Subjects of either, Inhabiting or Residing within their Jurisdiction, shall cherish and assist the Rebels of either Party with any Succour, Counsel or Favour whatsoever ; but shall expressly oppose, and effectually hinder all persons Abiding, Residing, or Dwelling in either of their Dominions, from supplying or furnishing any of those foresaid Rebels by Sea or Land, with any Succour or Assistance, either in Men, Ships, Arms, Warlike Furniture, or other prohibited Goods, or with Money, Provisions, or Victuals : And all Ships, Arms, Warlike Furniture, or other forbidden Goods, also Money and Provisions belonging to any person or persons whatsoever, which shall be supplied or furnished contrary to the meaning of this Article, shall be Confiscate and Forfeited to that Party where the persons offending shall be : And those who shall wittingly and willingly Act, Commit, Attempt, or Advise any thing contrary to the sense of this Article, shall be judged Enemies of both Parties, and shall be punished as Traitors, there where the Offence shall be committed. But as touching the specification of Prohibited or Contraband Goods, it shall be provided for hereafter.

Rebels not to be Assisted.

XIV.

That the said King of *Great Britain*, and the said States

To Assist each
other against
Rebels.

States General shall mutually, sincerely, and faithfully (as there is occasion) Assist each other against the Rebels of either, by Sea or Land, with Men and Ships, at the Cost and Charges of the Parties who desire the same, in such proportion and Manner, and upon such Conditions, as afterward shall be Agreed, and the present Occasion shall require.

XV.

Rebels and
Fugitives not
to be received.

That neither the said King, nor the said Commonwealth, nor the Subjects of either, shall in any of their Jurisdictions, Countries, Lands, Havens, Sea-Ports, Creeks, receive any Rebel or Rebels, Fugitive or Fugitives of the other Party, declared, or to be declared, nor shall give or yield unto such declared Rebels and Fugitives in the Places aforesaid, or elsewhere, though without their Lands, Countries, Havens, Sea-Ports, Creeks or Jurisdictions, any Help, Counsel, Lodging, Souldiers, Ships, Money, Arms, Ammunition or Victuals: As also neither of the States shall permit that such Rebels or Fugitives be received by any person or persons within their Jurisdictions, Countries, Lands, Sea-Ports, Havens, Creeks, nor suffer that any Help, Counsel, Lodging, Favour, Arms, Ammunition, Souldiers, Ships, Moneys or Provision be given or yielded to such Rebels and Fugitives; but shall expressly and effectually oppose, and really hinder the same.

XVI.

Rebels or Fugitives, upon notice, to be Banished.

That in case either of them by their publick and authentick Letters shall make known and declare unto the other, that any person or persons are or have been a Rebel or Rebels, Fugitive or Fugitives,

tives, and that they or any of them have been received, or reside, lie hid, or seek shelter in their Jurisdictions, Lands, Countries, Sea-Ports, or in any of them ; then that Party who shall have received such Letters, or to whom such notice shall be given, or declaration made, shall within the space of Twenty eight days, to be accounted from the day that such notice was given, be bound to Charge and Command such Rebel or Rebels, Fugitive or Fugitives, to withdraw and depart out of their Jurisdictions, Lands, Dominions, Countries, and every of them : And in case any of the said Rebels or Fugitives do not withdraw and depart within Fifteen days after such Charge or Command so given, then that they be punished with Death, and loss of Lands and Goods.

XVII.

That no Rebel of the said King of *Great Britain* shall be received into any of the Castles, Cities Havens, Jurisdictions, or other Places Priviledg'd or not Priviledg'd, which any person of what Dignity or Degree soever he be, or shall be, hath within the Dominions or Territories of the United Provinces, by what Right or Title soever he doth or shall hold or possess the same, nor be permitted to be received into, or remain in them, by any person, of what Quality or Degree soever he be. Neither shall the said States General permit or suffer, that in any of the aforesaid Places, any Assistance, Counsel or Favour, with Ships, Souldiers, Money or Provision, or in any other manner, be given or afforded unto any such Rebel, by any person of what Degree or Quality soever he be, but shall openly and expressly forbid, and effectually hinder the

Rebels not to be received or harboured.

the same. And if any person or persons, of what Degree or Quality soever they be, dwelling or remaining within the Dominions of the said United Provinces, or under their Command, shall Act any thing contrary to this Agreement, That then all and singular such persons so doing, shall for term of their Lives respectively, lose and forfeit all such Castles, Towns, Villages, Lands, and other Places which they or any of them at that time have or pretend to have, by what Right or Title soever. In like manner, no Rebel of the said States of the United Provinces shall be received into any Castles, Towns, Havens, or other Places, or any of them, Priviledg'd or not Priviledg'd, which any person or persons, of what Degree or Quality soever they be, and by what Right or Title soever he or they do or shall hold and possess, within the Kingdoms or Dominions of His said Majesty of *Great Britain* : Nor shall such Rebel be suffered to be received by any person or persons whatsoever, or there to remain ; neither shall the King of *Great Britain* permit or suffer, that any Counsel, Assistance, or Favour in any of the said Places with Ships, Men, Money, Victuals, or in any other manner be given or afforded unto any such Rebel, by any such person or persons, of what Degree or Quality soever they be, but shall openly and expressly forbid, and effectually hinder the same. And in case any of the Subjects of the said King, or within his Dominions, shall do or attempt any thing against this Agreement, That all and every person so offending, shall in like manner for their respective Lives lose and forfeit all such Castles, Cities, Towns, Lands, and other Places which they or any of them at that time hath, or shall pretend to have, by any Right or Title whatsoever.

XVIII. That

XVIII.

That the said King of *Great Britain* and His Subjects, and all the Inhabitants of His Majesties Dominions, and also the said United Provinces and their Subjects and Inhabitants, of what Rank or Condition soever they be, shall be bound to use each other kindly and friendly in every thing ; so that they may freely and safely pass by Land or by Water into each others Countries, Cities, Towns Walled or Unwalled, Fortified or not Fortified, and their Havens, and all other their Dominions situate in *Europe*, to continue and abide therein so long as they shall please, and may there buy so much Provisions as are necessary for their use, without any hindrance : and that likewise they may Trade and Traffick in Goods and Commodities of all sorts, as to them shall seem fit, and them to Export and Import at their pleasure, paying the usual Duties, saving to each Country their particular Laws and Customs. Provided that the Subjects and Inhabitants of either Side exercising their Trade in each others Countries and Dominions, shall not be obliged hereafter to pay any more Customs, Impost, or other Duties, then according to that proportion which other Foreign Nations Trading in the said Places do usually pay.

Freedom of
Passage and
Trade.

No more Cu-
stoms to be
paid, but what
other Foreign
Nations pay.

XIX.

That the Ships and Vessels of the said United Provinces, as well Men of War as others, meeting any Men of War of the said King of *Great Britain's* in the *British* Seas, shall Strike the Flag, and Lore the Top-Sail in such manner as the same hath been formerly observed in any Times whatsoever.

Dutch to
Strike.

I

XX. And

XX.

No Pirates to
be Protected.

And for the greater freedom of Commerce and Navigation, it is Agreed and Concluded, That the said King of *Great Britain*, and the said States General, shall not receive into their Havens, Cities and Towns, nor suffer that any of the Subjects of either Party do receive Pirates or Sea-Rovers, or afford them any Entertainment, Assistance or Provision, but shall endeavour that the said Pirates and Sea-Rovers, or their Partners, Sharers and Abettors, be found out, Apprehended, and suffer condign Punishment for the terror of others: And all the Ships, Goods, and Commodities Piratically taken by them, and brought into the Ports of either Party, which can be found; nay although they be sold, shall be restored to the right Owners, or Satisfaction shall be given either to their Owners, or to those who by Letters of Attorney shall challenge the same; Provided the Right of their Propriety be made to appear in the Court of Admiralty by due Proofs according to Law.

XXI.

The Subjects
of either Par-
ty not to take
Commissions
from any
Prince in War
with the other
Party.

It shall not be permitted to the Subjects of the said King of *Great Britain*, and the Inhabitants of the Kingdoms and Countries under His Obedience, or to the Inhabitants and Subjects of the said United Provinces, to do or offer any Hostility or Violence to each other, either by Land or by Sea, upon any pretence or colour whatsoever: And consequently it shall not be lawful for the said Subjects or Inhabitants to get Commissions or Letters of Reprizal from any Prince or State, with whom either of the Confederates are at Difference, or in open

open War ; and much less by virtue of those Letters to molest or damnifie the Subjects of either Party. Neither shall it be lawful for any Foreign Private Men of War, who are not Subjects to one nor the other Party, having Commissions from any other Prince or State, to Equip their Ships in the Harbours of either of the aforesaid Parties, or to sell or ransom their Prizes, or any other way to Truck, as well the Ships and Goods, as any other Lading whatsoever. And it shall not be lawful for them to buy any Victual, but what shall be necessary to bring them to the next Port of that Prince from whom they obtained their said Commissions. And if perchance any of the Subjects of the said King of *Great Britain* or of the said States General, shall buy or get to themselves by Truck, or any other way, such Ship or Goods which have been taken by the Subjects of one or the other Party ; in such case the said Subject shall be bound to restore the said Ship or Goods to the Proprietors without any delay, and without any Compensation or Reimbursement of Money paid or promised for the same ; Provided that they make it appear before the Council of the said King of *Great Britain*, or before the said States General, that they are the right Owners or Proprietors of them.

Concerning
other Privateers
and their
Prizes.

XXII.

That in case the said King of *Great Britain*, or the said States General do make any Treaty of Amity or Alliance with any other Kings, Republicks, Princes, or States, they shall therein comprehend each other and their Dominions, if they desire to be therein comprehended ; and shall give to the other notice of all such Treaties or Friendship and Alliance.

Notice to be
given of any
Treaty with
any other
Prince.

XXIII.

If any thing
be done in
Contraventi-
on to this
Treaty by any
of the Sub-
jects of either
Party, he or
they shall be
punished.

That in case it happen during this Friendship, Confederacy and Alliance, any thing shall be done or attempted by any of the Subjects or Inhabitants of either Party against this Treaty, or any part thereof, by Land, Sea, or Fresh-waters, That nevertheless this Amity and Alliance between the said Nations shall not thereby be broken or interrupted, but shall remain and continue in its full force; and that onely those particular persons shall be punished, who have committed any thing against this Treaty, and none else; and that Justice shall be rendred, and Satisfaction given to all persons concerned, by all such who have committed any thing contrary to this Treaty, by Land or Sea, or other Waters, in any part of *Europe*, or any Places within the *Straits*, or in *America*, or upon the Coasts of *Africa*, or in any Lands, Islands, Seas, Creeks, Bays, Rivers, or in any Places on this side the *Cape of Good Hope*, within Twelve Months space after Justice shall be demanded; And in all Places whatsoever on the other side the *Cape* (as hath been abovesaid) within Eighteen Months next ensuing after demand of Justice shall be made in manner aforesaid. But in case the Offenders against this Treaty do not appear, and submit themselves to Judgment, and give Satisfaction within the respective Times above expressed, proportionable to the distance of the Places, they shall be declared Enemies of both Parties, and their Estates, Goods, and Revenues whatsoever, shall be Confiscated for due and full Satisfaction of the Injuries and Wrongs by them offered; and their Persons also, when they come within the Dominions of either

either Party, shall be liable unto such Punishments as every one shall deserve for his respective Offences.

XXIV.

That the Subjects of the said King of *Great Britain*, and those which are under His Jurisdiction, may freely and securely Travel in all the Provinces of the *Low-Countries*, and all their Dominions in *Europe*, and through them by Sea or Land pass, to other Places there or beyond them, and through all Quarters of the United Provinces, Cities, Forts, or Garrisons whatsoever, which are in any Parts of the United Provinces, or elsewhere in their Dominions in *Europe*, as well they themselves exercising Trade in all those Places, as their Agents, Factors and Servants may go Armed or Unarmed (but if Armed, not above Fourty in a Company) as well without their Goods and Merchandises as with them, wheresoever they please. The People also and Inhabitants of the United Provinces shall enjoy the same liberty and freedom in all the Dominions of the said King in *Europe*; Provided that they and every of them do in their Trade and Merchandising yield Obedience to the Laws and Statutes of either Nation respectively.

The Subjects of either Party to Travel freely in each others Territories in *Europe*.

XXV.

That in case the Merchant-Ships of the Subjects of either Nation shall by Storm, Pirates, or any other Necessity whatsoever, be driven into any Haven of either Dominion, they may depart securely and at their pleasure, with their Ships and Goods, without paying any Customs or other Duties; Provided they break no Bulk, nor sell any thing; nor shall

Freedom of Ports.

shall they be subject to any Molestation or Search, provided they do not receive on Board any Persons or Goods, nor do any thing else contrary to the Laws, Ordinances or Customs of the Places where they (as aforesaid) shall happen to arrive.

XXVI.

Seamen, &c.
not to be Pref-
sed.

That the Merchants, Masters and Seamen of either Party, their Ships, Goods, Wares, or Merchandises, shall not be Arrested or Seised in the Lands, Havens, Roads or Rivers of the other, to Serve at War, or any other use, by virtue of any general or special Command, unless upon an extraordinary Necessity, and that just Satisfaction be given for the same ; but so as the same shall not derogate from the Seisures and Arrests duely made in the ordinary Courts of Justice of either Nation.

XXVII.

Seamen, &c.
to carry Arms.

That the Merchants on both Sides, their Factors and Servants, and also the Masters and other Seamen, as well going as returning by Sea and other Waters, as also in the Havens of either Party, or going on Shore, may carry and use for the defence of themselves and Goods, all sorts of Weapons, as well Offensive as Defensive ; but being come into their Lodgings or Inns, they shall there lay by and leave their Arms, until they be going on Board again.

XXVIII.

To Convey
each other.

That the Men of War, or Convoys of either Nation, meeting or overtaking at Sea any Merchants Ship or Ships belonging to the Subjects or Inhabitants of the other, holding the same Course, or going

going the same Way, shall be bound as long as they keep one Courie together, to protect and defend them against all and every one who would set upon them.

XXIX.

That if any Ship or Ships of the Subjects or Inhabitants of either Nation, or of a Neuter, be taken by a third Party in the Harbours of either, not being of the Subjects or Inhabitants of either Nation, they in or out of whose Haven or Jurisdiction the said Ships shall be taken, shall be bound to endeavour with the other Party, that the said Ship or Ships be pursued, brought back, and restored to the Owners; but all this shall be done at the Charges of the Owners, or whom it concerns.

About Ships taken in either Parties Harbours.

XXX.

That Searchers and other like Officers on both Sides shall regulate themselves according to the Laws of either Nation, and shall not impose or demand more than they are allowed by their Commissions and Instructions.

Searchers, &c. to regulate themselves according to the Laws of the Country.

XXXI.

That if any Injury be done or practised by either Nation, or the Subjects or Inhabitants of the same, against the Subjects or Inhabitants of the other, or against any of the Articles of this present Treaty, or against common Right; yet nevertheless no Letters of Reprisal, Marque or Counter-marque shall be granted by either Side, till Justice hath been first demanded according to the ordinary course of Law; but in case Justice be there denied or delayed, then that the said King of *Great Britain* and the said States

No Letters of Marque to be granted but upon denial of Justice.

States General, or Commissioners of that Nation whose Subjects and Inhabitants have suffered the Wrong, shall publicly require Justice from that other Party, where (as abovesaid) it was denied or delayed, or from that Power appointed to hear and decide such Differences, that there may be a friendly Composure, or due Process of Law. But if still there happen more delays, and neither Justice be administered, nor Satisfaction given within Three months after such Demand, that then Letters of Reprisal, Marque or Counter-marque may be granted.

XXXII.

In case of a future War, Six Months to be allowed for Ships, &c. to go away.

It is also Agreed, If at any time it happen (which God of his mercy forbid) that the Differences now Composed between His said Majesty and the said States General, should fester, and break out again into open War, that then those Ships, Merchandise, or any kind of Moveables of either Party, which shall be found to be and remain in the Ports, and under the Command of the adverse Party on either Side, shall not for all that be Confiscated, or made obnoxious to any Inconvenience; but the space of Six Months shall entirely be allowed to the Subjects and Inhabitants of either Party, that they may have leisure to Transport from thence the forementioned things, and any thing else that is theirs, whither they shall think fit, without any kind of Molestation.

XXXIII.

Privateers to give Caution.

That they who have obtained private Commissions from either Party, before they receive such Commissions, shall give good and sufficient Caution before the Judge of the Court where they receive

ceive such Commissions, by responsible Men, who have no part or share in such Ships, that they shall do no Damage or Injury to the Subjects or Inhabitants of either Side.

XXXIV.

It is also Agreed and Concluded, That the Subjects and Inhabitants of either Party shall always have free access to each others Sea-Ports, there to remain, and from thence to depart with the same freedom ; and not onely with their Merchant-Ships and Lading, but also with their Men of War, whether they belong to the said King or States General, or unto such as have obtained private Commissions, whether they arrive through violence of Tempest, or other Casualty of the Seas, or to mend their Ships, or to buy Provision, so they exceed not the number of Eight Men of War, when they come there voluntarily, nor shall remain or abide longer in the Havens or Places adjacent, then they shall have a just cause to repair their said Ships, or to buy Victuals or other Necessaries : And if a greater number of Men of War should upon occasion desire to come unto such Ports, they shall in no case enter thereinto, until they have first obtained leave from those to whom the said Havens do appertain, unless they be forced so to do by Storm, or some force or necessity, whereby they may avoid the danger of the Sea : In which case also they shall presently make known the cause of their coming unto the Governor or chief Magistrate of the Place, and shall stay no longer then the said Governor or chief Magistrate shall permit them, and shall not do any Acts of Hostility or other Prejudice in the aforesaid Havens during their abode there.

Each Party to
to have free
access to the
others Ports.

Concerning
Men of War
coming to any
Port.

XXXV.

This Treaty
to be observed.

Furthermore it is Agreed and Concluded, That both Parties shall truly and firmly observe and execute this present Treaty, and all and every the Matters contained therein, and effectually cause the same to be observed and performed by the Subjects and Inhabitants of either Nation.

XXXVI.

Stateholder of
Holland to
Confirm this
Treaty.

Also for further caution and assurance that this Treaty and Confederacy shall be duly and *bona fide* observed on the part of the said States General of the United Provinces and their People, It is Concluded and Agreed, as also the said States General by these Presents do agree, and firmly oblige and bind themselves, That all and every one whom they, or the States of the Provinces shall at any time choose, appoint, or make Captain-General, Governor, or chief President, or Stateholder, General of Armies or Military Forces by Land, or Admiral or General of the Fleets, Ships, or Forces at Sea, shall be bound and obliged by Oath to Confirm this Treaty, and all the Articles thereof, and promise sacredly upon Oath, That they shall, as far as it is possible, religiously observe and execute the same, and as much as concerns them, cause the same to be observed and executed by others.

XXXVII.

Who to be
comprehended
in this
Treaty.

Under this present Treaty of Peace those shall be comprehended, who shall be named by either Party with common Consent before the Exchange of Ratifications, or within Six Months after. But in the mean time, as the Covenanting Parties do thank-

thankfully acknowledge the Friendly Offices, and unwearied Endeavours, whereby the Most Serene King of *Sweden* interposing his Mediation, hath through the Assistance of God promoted and carried on this beneficial Work of Pacification unto the desired Conclusion ; So to testify their like Affection, It is Decreed and Covenanted by the common Consent of all the Parties, That his above-mentioned Majesty of *Sweden*, with all his Kingdoms, Dominions, Provinces and Rights, be included in this Treaty, and comprehended in the present Pacification, after the best and most effectual manner that may be.

XXXVIII.

It is also Covenanted, Concluded, and Agreed, That the present Treaty, and all and every thing and things therein contained and concluded, shall be Confirmed and Ratified by the said King of *Great Britain*, and the said States General of the United Provinces, by Letters Patents on both Sides, Sealed with the Great Seal in due and authentick Form, within Four Weeks next ensuing, or sooner, if it can be done ; and that within the said time the Ratifications on both Sides shall be Exchanged at *Breda* ; and that presently after the Delivery and Exchange of the same, this Treaty and Alliance shall be published in such Form and Place as is usual.

About the
Ratifications.

Done at Breda the ²¹/₃₁ day of July, 1667.

THE SEPARATE ARTICLE.

IF it happen that any Tapiftry, Hangings, Carpets, Pictures, or Household-Furniture of what kind soever, or Precious Stones, Jewels, Rich Curiosities, or other Moveable Goods whatsoever, belonging to the King of *Great Britain*, either now are, or hereafter shall be found to be in the hands or power of the said States General, or of any of their Subjects; the said States General do promise, that they will in no wise protect the Possessors of any Moveables appertaining unto the said King; which Goods may be taken from them in such manner, that they who shall make difficulty to restore them freely, may not be dealt withall by any means contrary to Equity and Justice. And the said States do promise to use their most effectual Endeavours, that a plain and summary way of Proceeding may be taken in this Affair, without the ordinary Form and Method of Process usually observed in Courts; and that Justice be administred, whereby His said Majesty may be satisfied as far as possibly may be, without the wrong of any one.

Also, That if any of those who are guilty of that horrible Treason and Parricide committed upon King *CHARLES* the First of most blessed Memory, and lawfully Attainted, Condemned, or Convicted of the same, either now are in the Dominions of the said States General, or shall hereafter come thither; as soon as ever it shall be known or signified to the said States General, or any of their Officers, they shall be apprehended, put into Custody, and sent Prisoners into *England*, or delivered into the hands of those whom the said King of *Great Britain* shall appoint to take charge of them, and bring them home.

Done at Breda the 21st day of July, 1667.

His Majesties Declaration concerning the Restoring of all Places, Forts, &c. which his Subjects shall have taken or recovered from the Dutch after the 10 day of May last past.

CHARLES the II. by the Grace of God King of *Great Britain, France and Ireland,* Defender of the Faith, &c. We do hereby make known and testifie unto all and every person and persons, whom it doth or may any way concern, That whereas in the Treaty of Peace Concluded at *Breda* the 31 day of *July*, 1667. between Us and the High and Mighty Lords States General of the United *Netherlands*, it is Agreed in the third Article, That each Party is to hold and possess for the time to come, with plenary Right of Sovereignty, Propriety and Possession, all such Lands, Islands, Cities, Forts, Places, and Colonies, as during this War, or in any former Times before this War, they have by force of Arms, or any way whatsoever gotten or detained from the other Party, after the very same manner as they had seized and did possess them on the 10 day of *May* last past, not excepting any of the said Places. And whereas furthermore, for the avoiding of all matter of Strife and Contention, which useth sometimes to arise by reason of Restitutions, it is also Agreed in the sixth Article, That if either Party shall intercept and get from the other any Lands, Islands, Cities, Forts, Colonies, and other Places after the said 10 day of *May* last past, all and every of the Premises (without any distinction of Time and Place) are forthwith to be restored in the very same Condition wherein they shall be found to be at the time whensoever certain notice shall come to those Places.

Places that the Peace is renewed : We do hereby Require and Command all Our Governors, Officers, Commanders and Souldiers, both by Sea and Land, of what Quality and Condition soever they be, as well within *Europe*, as without, that they do not onely forbear, and totally abstain from all Hostility according to the Tenor of the foresaid Treaty ; but also if at any time it shall happen or come to pass, that any Lands, Islands, Cities, Forts, Colonies, and other Places wheresoever situated, shall be taken from the United *Netherlanders*, or recovered from them and brought under Our Power, after the expiration of the said ¹⁰ day of *May*, That they restore them all without any delay or excuse, unto those Persons who shall exhibit these Letters Patents, in such Condition as they shall be found in at the Time when the renewing of the Peace shall be notified there, without any Diminution, Detraction, Waste or Embezelment whatsoever, upon pain of Our highest Displeasure. Given at *Westminster* the Nine and twentieth day of *July* Old stile, and Eighth day of *August* New stile, in the Year of our Lord, 1667. and of Our Reign the Nineteenth.

Articles of Navigation and Commerce between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General of the United Netherlands, Concluded the ²¹/₃₁ day of July, 1667.



Hereas by those Articles of Peace, Union and Alliance which are this Day Concluded between His Majesty the King of Great Britain, and the States General of the United Provinces, it is specially and carefully Preface.

provided, That all the dismal and calamitous effects of War may forthwith cease, and that the Peace so much desired by all, may be restored in all Kingdoms and Dominions of both Parties, and unto all their Subjects and Inhabitants: And the measure of Time and Affairs hath not permitted them to weigh in an equal Balance, and thereby exactly to Adjust all and every thing and things which were to be observed and considered about the foresaid Articles, especially about those which belong to the Rules of free Navigation and Trade; and that it may be feared, the Inhabitants and Subjects of both Parties may fall back again into new Quarrels and Dissentions, and the Differences now Composed may bleed afresh, if they be not bound up by some certain Laws about those things which concern Navigation and the use of Trade: Therefore by the Mediation and Endeavours of the Swedish Ambassadors, the forementioned Parties have further Agreed unto these Separate Articles.

I. That

I.

All Acts, &c.
contrary to
the liberty of
Trade, abro-
gated.

THAT all such Proclamations and Acts of State which either Party hath published, by reason of this War, to the prejudice of the other Party, against the liberty of Navigation and Trade, be abrogated on both Sides.

II.

What Goods
the Dutch may
bring in their
Ships into
England.

That for the Elucidation of that Act which the King of *Great Britain* caused to be published in the Year 1660. *For the Encouragement of Navigation* in his own Subjects, whereby Strangers are prohibited to Import any Commodities into *England*, but such as are of their own Growth or Manufacture; it may be lawful for the States General, and their Subjects, to carry also into *England* in their Ships, all such Commodities as growing, being produced, or manufactured in Lower or Upper *Germany*, are not usually carried so frequently and commodiously unto Sea-Ports (thence to be Transported to other Countries) any other way but through the Territories and Dominions of the United *Netherlands*, either by Land or by Rivers.

III.

Whereas the King of *Great Britain* hath heretofore pressed, That Merchandise and Commodities on both Sides might be reduced to a certain and convenient Rule; the States General also have always aim at the same Mark, That Merchandise should be bounded and circumscribed within some certain Laws of perpetual Observation; And yet that Business seems to require longer attention and labour, then that it can be speedily dispatcht to the satisfaction

fatisfaction of both Parties ; They are both content to remit the same unto a fitter Occasion, that Commissioners on both Sides may meet together assoon as may be after this Peace is Concluded, who may Resolve and Agree about specifying and circumscribing the Species of Commodities, and the Laws of Navigation, and may set the same down in new and mutual Covenants. Yet lest in the mean time the Inhabitants and Subjects of both Parties should be in suspense and doubt, as not knowing what kinds of Commodities it may be lawful or unlawful to carry or supply unto the Enemy of either Party, after the manner and form of Warlike Provisions or Succours, or under the title or pretence of Merchandise ; It is likewise Covenanted and Agreed, That the Treaty of Navigation and Commerce made between the Most Christian King, and the said States General (beginning from the 26. unto the 42. Article inclusively.) in that manner and tenor wherein they follow here inserted in the *French* Language, may provisionally serve for a Rule and Law, and so make way for the perfecting of a larger and fuller Treaty concerning Maritime Commerce between the above-mentioned Parties.

The foresaid Articles follow.

26.

All the Subjects and Inhabitants of *France* may with all safety and freedom Sail and Traffick in all the Kingdoms, Countries and Estates which are or shall be in Peace, Amity, or Neutrality with *France*, without being troubled or disquieted in that Liberty by the Ships, Gallies, Frigats, Barques, or other Vessels belonging to the States General or any of their Subjects, upon occasion and account of the

Commissioners for the Regulation of Trade to be appointed.

Freedom of Trade with Places in Peace, Amity, or Neutrality.

L

Hostili-

Hostilities which may hereafter happen between the said States General and the abovesaid Kingdoms, Countries and Estates, or any of them, which are or shall be in Peace, Amity, or Neutrality with *France*.

27.

This Transportation and Traffick shall extend to all sorts of Merchandise, except those of Contraband.

28.

Contraband
Goods.

This term of Contraband Goods is understood to comprehend onely all sorts of Fire-Arms and their Appurtenances; as Cannon, Musquets, Mortar-Pieces, Petards, Bombs, Granadoes, *Saucisses*, Pitched Hoops, Carriages, Rests, Bandeliers, Powder, Match, Salt-petre, Bullets, Pikes, Swords, *Morions*, Head-pieces, *Cuirasses*, Halberts, Javelins, Horses, great Saddles, Holsters, Belts, and other Utensils of War.

29.

Wheat, Corn,
&c. no Con-
traband
Goods.

In this quality of Contraband Goods these following shall not be comprehended; Wheat, Corn, and other Grain, Gums, Oyls, Wines, Salt, nor generally any thing that belongs to the nourishment and sustenance of Life, but shall remain free as other Merchandise and Commodities not comprehended in the precedent Article; and the Transportation of them shall be permitted even unto Places in Enmity with the said States General, except such Cities and Places as are Besieged, Blocked up, or Invested.

30.

It hath been Agreed, That the Execution of what

what is above said shall be performed in the manner following ; That the Ships and Barques with the Merchandise of his Majesties Subjects, being entred into any Port of the said States General, and purposing to pass from thence unto the Ports of the said Enemies, shall be onely obliged to shew unto the Officers of the Port of the said States out of which they would go, their Passports, containing the Specification of the Lading of their Ships, attested and marked with the ordinary Seal and Signing acknowledged by the Officers of the Admiralty of those Places from whence they first came, with the Place whither they are bound, all in the usual and accustomed Form : After which, shewing of their Passports in the Form aforesaid, they may not be disquieted nor searched, detained nor retarded in their Voyages, upon any pretence whatsoever.

Ships entring into Port with intention to pass, to an Enemies Port, not to be Searched upon shewing their Passports.

31.

The same course shall be used in regard of the *French* Ships and Barques which shall come into any Roads of the Countries under the Obedience of the said States, not intending to enter into the Ports, or being entred thereinto, not to unlade and break Bulk ; which Ships may not be obliged to give account of their Lading, but in case of suspicion that they carry unto the Enemies of the said States any Contraband Goods, as was above said.

The same concerning Ships coming into Roads, not to give an account of their Lading.

32.

And in case of such apparent suspicion, the said Subjects of His Majesty shall be obliged to shew in the Ports their Passports in the Form above specified.

Nor to shew Passports but in case of suspicion.

Ships at Sea,
how to be Vi-
ticed.

But if they were come within the Roads, or were met in the open Sea by any of the said States Ships, or Private Men of War their Subjects ; for avoiding of all Disorder, the said Ships of the United Provinces shall come no nearer unto the *French* Barques then within Cannon-shot, and may send their Long-Boat or Shallop on Board the *French* Ships or Barques, and cause onely two or three Men to go on Board, unto whom the Passports and Certificates shall be shewn by the Master or Pilot of the *French* Ship, in the manner above specified, according to the Form of the said Certificates which shall be inserted at the end of this Treaty ; by which Passports and Certificates proof may be made not only of the Lading, but also of the Place of the Abode and Residence as well of the Master and Pilot, as of the Ship it self ; to the end that by these two ways it may be known whether they carry Contraband Goods ; and that the quality as well of the said Ship as of its Master and Pilot may sufficiently appear : Unto which Passports and Certificates entire faith and credit ought to be given. And to the end that their validity may be the better known, and that they may not be in any wise falsified and counterfeit, certain Marks and Counterfigns of His Majesty and the said States General shall be given unto them.

Contraband
Goods found
on Board, to
be Confiscated
onely, and no
other.

And in case any Merchandise and Commodities of those kinds which are before declared to be Contraband and forbidden, shall by the means aforesaid be found in the *French* Vessels and Barques bound
for

for the Ports of the said States Enemies ; they shall be unladen , and declared Confiscate before the Judges of the Admiralty of the United Provinces, or other competent Officers ; But so, that the Ship and Barque, or other free and allowed Goods, Merchandise and Commodities found in the same Ship, may not for that cause be in any manner Seized or Confiscate.

35.

It was furthermore Agreed and Covenanted, That whatsoever shall be found Laden by His Majesties Subjects upon a Ship of the Enemies of the said States, although the same were not Contraband Goods, shall yet be Confiscate with all that shall be found in the said Ship, without exception or reservation ; But on the other Side also, all that shall be and shall be found in the Ships belonging to the Most Christian Kings Subjects, shall be free and discharged, although the Lading or part thereof belong to the said States Enemies ; Except Contraband Goods, in regard whereof such Rule shall be observed as hath been ordered in the precedent Articles.

Goods found
in an Enemies
Ship, to be
Confiscated.

Free Ship free
Goods, except
Contraband.

36.

All the Subjects and Inhabitants of the said United Provinces shall reciprocally enjoy the same Rights, Liberties and Exemptions in their Trade and Commerce within the Ports, Roads, Seas, and Estates of His said Majesty, (as hath been newly said) which His said Majesties Subjects shall enjoy in those of the said States, and in open Sea ; It being to be understood, that the equality shall be mutual every way on both Sides : And even in case the said States should hereafter be in Peace, Amity, and

All Rights and
Exemptions
to be enjoyed
reciprocally.

and Neutrality with any Kings, Princes and States, who should become Enemies to His said Majesty, either of the Parties are mutually to use the same Conditions and Restrictions expressed in the Articles of this present Treaty, which regard Trade and Commerce.

37.

Captains of
Ships not to
molest the o-
thers Subjects.

And the more to assure the Subjects of the said States, that no violence shall be offered them by the said Ships of War, all the Captains of the Kings Ships, and others His Majesties Subjects, shall be charged and enjoined not to molest or endamage them in any thing whatsoever, upon pain of being punished and made answerable in their Persons and Goods for the Damages and Interests suffered, and to be suffered, until due Restitution and Reparation be made.

38.

Captains and
Privateers to
give Security.

And for this cause the Captains and Capers shall from henceforth every one of them be obliged before they go out, to give good and sufficient Security before competent Judges, in the Sum of Fifteen thousand Livres *Tournois*, to answer every one by himself for the Miscarriages they may commit in their Courses at Sea, and for their Captains and Officers violations of this present Treaty, and of the Orders and Proclamations of His Majesty which shall be published by virtue, and in conformity of the Regulation therein made ; upon pain of being Cashier'd, and forfeiting the said Commissions and Licences : Which shall in like manner be practised by the Subjects of the said States General.

39. If

39.

If it should happen that any of the said *French* Captains should make Prize of a Vessel laden with Contraband Goods, as hath been said, the said Captains may not open nor break up the Chests, Mayls, Packs, Bags, Cask, and other Boxes, or Transport, Sell, or Exchange, and otherwise alienate them, until they have Landed in the presence of the Judges of the Admiralty, and after an Inventory hath by them been made of the said Goods found in the said Vessels; unless the Contraband Goods making but a part of the Lading, the Master or Pilot of the Ship should be content to deliver the said Contraband Goods unto the said Captain, and to pursue his Voyage: In which case the said Master or Pilot shall by no means be hindred from continuing his course and the design of his Voyage.

About Prizes
Laden with
Contraband
Goods.

40.

His Majesty being desirous that the Subjects of the said States may be used in all Countries under his Obedience as favourably as his own Subjects, will give all necessary Orders, that Judgments and Decrees upon Prizes which shall happen to be taken at Sea, may be given with all Justice and Equity, by Persons not suspected nor concerned in the Matter under debate: And His Majesty will give precise and effectual Orders, that all Decrees, Judgments, and Orders of Justice already given and to be given, may be readily and duly executed according to their Forms.

Judgments
upon Prizes
to be given
with all E-
quity.

41.

And when the Ambassadors of the said States General, or any other of their Publick Ministers
Residing

Upon complaint of Judgment, a Review to be granted within Three Months.

The Goods reclaimed, not to be unladen but by consent.

Persons interested in a Ship taken, obtaining a favourable Judgment, to have its Execution upon Security.

Residing in His Majesties Court, shall make Complaint of the Judgments which shall be given, His Majesty will cause a Review to be made of the said Judgments in His Council, to Examine whether the Order and Precautions contained in the present Treaty have been followed and observed, and to provide for the same according to reason ; which shall be done within the space of Three Months at the farthest : Nevertheless neither before the first Judgment, nor after it, during the time of the Review, the Goods and Effects which are claimed, may not be sold or unladen, unless it be with consent of the Parties interested, to avoid the spoiling of the said Commodities, if they be perishable.

42.

When Process shall be moved in the first or second Instance between those that have taken the Prizes at Sea, and the persons interested therein, and the said interested persons shall come to obtain a favourable Judgment or Decree, the said Judgment or Decree shall have its Execution upon Security given, notwithstanding the Appeal of him that took the Prize ; But the same shall not hold on the contrary. And that which is said in this present, and in the precedent Articles, for the causing of good and speedy Justice to be done unto the Subjects of the United Provinces in the matter of Prizes taken at Sea by His Majesties Subjects, shall be understood and practised by the States General, in regard of Prizes taken by their Subjects from those of His Majesty.

IV.

It is also Covenanted, That these above-written
Separate

Treaty of Commerce with Holland.

89

Separate Articles, and all and every thing therein contained and concluded, shall be Confirmed and Ratified by the said King of *Great Britain*, and the said States General of the United Provinces, by Letters Patents of both Parties, Sealed with their Great Seal in due and authentick Form, within Four Weeks next ensuing, or sooner, if it may be; and mutual Instruments shall be Exchanged at *Breda* within the foresaid time; and the same shall be Published after the Delivery and Exchange thereof, in the usual Form and Place.

Ratifications
Exchanged
within Four
Weeks.

Done at Breda the $\frac{21}{31}$ day of July, 1667.

M

A Form

A Form of the Passports and Certificates that ought to be given in the Admiralty of France, to the Ships and Barques that go out thence, according to the Article of the present Treaty.

CÆsar Duke of Vendome, Peer and Great Master, Chief and Superintendant General of the Navigation and Commerce of France : To all who shall see these Presents, Greeting.

We do make known, That we have granted leave and permission to _____ Master and Conductor of a Ship called _____ of the City of _____ of the Burthen of _____ Tuns or thereabouts, being at present in the Port and Haven of _____ to go to _____ Laden with _____ after Search shall have been made of his Ship, and he before his Departure shall make Oath before the Officers that Exercise the Jurisdiction of Maritime Causes, That the said Vessel doth belong to one or more of his Majesties Subjects, an Act whereof shall be put at the bottom of the Presents, as also to keep and cause to be kept by those Aboard him, the Orders and Rules of the Marine, and shall put into the Registry the Roll Signed and Certified, containing the Names and Surnames, the Nativity and Habitation of the Men that are Aboard him, and of all that shall Imbarque themselves, whom he may not take on Board without the knowledge and permission of the Marine Officers ; and in every Port or Haven where he shall enter with his Ship, shall make appear to the Officers and Marine Judges concerning the present Licence, and shall make them faithful relation of what hath been done, and hath passed during his Voyage, and shall carry

carry the Flags, Arms, and Colours, both the Kings and Ours, throughout his whole Voyage. In witness whereof, We have Signed these Presents, and caused the Seal of Our Arms to be put thereunto, and the same to be Countersigned by Our Secretary of the Marine, the day of One thousand six hundred

Signed

Cesar of Vendome. And underneath,
By my Lord *Marshael*, and Sealed
with the Seal of the Arms of the
said Lord Admiral.

A Form of the Act containing the Oath.

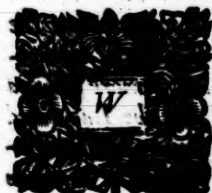
WE of the Admiralty of the Ad-
miralty of do cer-
tifie, That Master of the
Ship named in the Passport above, hath taken the
Oath therein mentioned. Made at
the day of One thousand six hun-
dred, &c.

Another Form of the Certificates that ought to be given by the Cities and Sea-Ports of the United Provinces, to the Ships and Barques that go from thence, according to the Article abovesaid.

TO the Most Serene, Most Illustrious, Illustrious, Most Mighty, Most Noble, Honourable, and Prudent Lords, Emperors, Kings, Commonwealths, Princes, Dukes, Comties, Barons, Lords, Burgomasters, Sheriffs, Counsellors, Judges, Officers, Justices and Regents of all good Cities and Places, as well Ecclesiastical as Secular, who shall see or read these Presents. We Burgomasters and Governors of the City of _____ do make known, That _____ Ship-Master appearing before Us, hath declared by solemn Oath, that the Ship called _____ containing about

_____ Lafts, of which he is at present the Master, belongeth to Inhabitants of the United Provinces, So help him God : And as we would willingly see the said Ship-Master assisted in his just Affairs, We do request you all in general and particular, that where the abovesaid Master shall arrive with his Ship and Goods, it may please them to receive him courteously, and use him in due manner, suffering him upon the usual Rights of Tolls and other Charges, in, through, and nigh your Ports, Rivers and Territories, permitting him to Sail, Pass, Frequent and Trade there where he shall think fit. Which we shall willingly acknowledge. In witness whereof We have caused the Seal of Our City to be thereunto put.

Articles touching Navigation and Commerce between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General of the United Netherlands, Concluded at the Hague the 7 Febr. 1667.



HEREAS, by the Blessing of Almighty God, for the mutual Safety of the two Parties, as well as the common Good of Christendom, a Perpetual Defensive Treaty was Concluded, and Signed on the 23. day of January last past between the Most Se-

Preface.

rene and Most Potent Prince Charles the Second, and the High and Mighty Lords the States General of the United Netherlands, with Stipulation of considerable Succours, to be mutually given by the Parties, as well by Sea as Land: And whereas the said King and States did on the same Day, and by another Instrument, readily Enter into a Solemn Treaty and Agreement, for Composing the Affairs of their Neighbours, and restoring Peace to Christendom; so as nothing seems now remaining that can at any time hereafter interrupt a Friendship and Alliance renewed with so equal Desires, unless such Controversies as may otherwise hereafter happen to arise about determining the different sorts and natures of Merchandise, which being left dubious and uncertain, would give occasion to the further growth of such Differences: And therefore that it may appear with what Sincerity and good Faith the said King, and the said States, desire

to Preserve and Entertain, not onely for the Present, but to all Posterity, the Amity they lately Contracted between them ; they have at last, for the taking away all Grounds, not onely of Differences and Misunderstandings, but even of Questions and Disputes ; and so utterly to cut off the Hope and Expectation of those, whoever they are, that may think it their Interest by new Controversies, to endeavour the disturbance or interruption of the said Peace, mutually Agreed on these following Articles, which are to be on both Sides, and for ever observed as the Measure and Rule of such Maritime Affairs, and mutual Settlement of Trade, or at least so long, till by the joynt Consent of both Parties, Commissioners be appointed, and do meet in order to the framing a more full and ample Treaty concerning this Matter, and the Laws and Rules of Commerce and Navigation ; as by farther Experience shall be found most advantageous to the common Good of both Parties.

I.

*English to
Trade freely
with any
Country in
Peace or Neu-
trality with
them.*

ALL the Subjects and Inhabitants of *Great Britain* may with all safety and freedom, Sail and Traffick in all the Kingdoms, Countries, and Estates, which are or shall be in Peace, Amity, or Neutrality with *Great Britain*, without being troubled or disquieted in that Liberty by the Ships of War, Gallies, Frigats, Barques, or other Vessels belonging to the States General, or any of their Subjects, upon occasion and account of the Hostilities which may hereafter happen between the said States General, and the abovesaid Kingdoms, Countries, and Estates, or any of them, which are or shall be in Peace, Amity, or Neutrality with *Great Britain*.

II. This

II.

This freedom of Navigation and Traffick shall extend to all sorts of Merchandise, except those of Contraband.

To extend to all Goods but Contraband.

III.

This term of Contraband Goods is understood to comprehend onely all sorts of Fire-Arms and their Appurtenances ; as Cannon, Musquets, Mortar-Pieces, Petards, Bombs, Granadoes, Fire-crancels, Pitched Hoops, Carriages; Rests, Bandeliers, Powder, Match, Salt-petre, Bullets, Pikes, Swords, *Morions*, Head-Pieces, Coats of Mayl, Halberts, Javelins, Horses, great Saddles, Holsters, Belts, and other Utensils of War, called in French, *Affortissemens servans al usage de la Guerre*.

What Goods are Contraband.

IV.

In this quality of Contraband Goods, these following shall not be comprehended ; Corn, Wheat, or other Grain, and Pulse ; Oyls, Wines, Salt, or generally any thing that belongs to the nourishment and sustenance of Life, but shall remain free as other Merchandise and Commodities not comprehended in the precedent Article ; and the Transportation of them shall be permitted even unto Places in Enmity with the said States General, except such Cities and Places as are Besieged, Blocked up, or Invested.

Corn, Wheat, &c. not Contraband.

V.

It hath been Agreed, for the due Execution of what is abovesaid, That the Ships and Barques of the *English*, Laden with Merchandise, being entred into any Port of the said States General, and purposing

English Ships going to an Enemies Port, not to be molested, upon

shewing their
Passports.

posing to pass from thence unto the Ports of their Enemies, shall be only obliged to shew unto the Officers of the Port of the said States, out of which they would go, their Passports, containing the Specification of the Lading of their Ships, attested and marked with the ordinary Seal of the Officers of the Admiralty of those Places from whence they first came, with the Place whither they are bound, all in the usual and accustomed Form : After which shewing of their Passports in the Form aforesaid, they may not be disquieted nor searched, detained nor retarded in their Voyages, upon any pretence whatsoever.

VI.

Ships coming
into Roads,
not obliged to
give an ac-
count of their
Lading, but
upon suspici-
on of carry-
ing Contra-
band Goods;

The same course shall be used in regard of the *English* Ships and Vessels which shall come into any Roads of the Countries under the Obedience of the said States, not intending to enter into the Ports, or being entred thereinto, not to unlade and break Bulk ; which Ships may not be obliged to give account of their Lading, but in case of suspicion that they carry unto the Enemies of the said States any Contraband Goods, as was abovesaid.

VII.

In which case
to shew their
Passports.

And in case of such apparent suspicion, the said Subjects of his Majesty shall be obliged to shew in the Ports their Passports in the Form above specified.

VIII.

Concerning
Searching
Ships at Sea.

But if they were come within the Roads, or were met in the open Sea by any of the said States Ships, or Private Men of War their Subjects ; for avoiding of all Disorder, the said Ships of the United Provinces

Provinces or of their Subjects, shall not come near within Cannon-shot of the *English*, but shall send out their Long-Boat, and cause onely two or three Men to go on Board the *English* Ships or Vessels, unto whom the Passports and Certificates of the Propriety of the Ships shall be shewn by the Master or Captain of the *English* Ship, in the manner above specified, according to the Form of the said Certificates which shall be inserted at the end of this Treaty ; by which Passports and Certificates proof may be made not onely of the Lading, but also of the Place of the Abode and Residence of the Master or Captain, and Name of the Ship it self ; to the end that by these two ways it may be known whether they carry Contraband Goods ; and that the quality as well of the said Ship, as of its Master or Captain may sufficiently appear : Unto which Passports and Certificates entire faith and credit shall be given. And to the end that their validity may be the better known, and that they may not be in any wise falsified and counterfeit, certain Marks and Counter signs of his Majesty and the said States General shall be given unto them.

Upon producing their Passports, not to be molested.

IX.

And in case any Merchandise and Commodities of those kinds which are before declared to be Contraband and forbidden, shall by the means aforesaid be found in the *English* Ships and Vessels, bound for the Ports of the said States Enemies ; they shall be unladen, Judicially proceeded against, and declared Confiscate before the Judges of the Admiralty of the United Provinces, or other competent Officers : But so that the Ship and Vessel, or other free and allowed Goods, Merchandise,

Contraband Goods found on Board, to be Confiscated onely, and no other, nor the Ship.

N

and

and Commodities found in the same Ship, may not for that cause be in any manner Seised or Confiscate.

X.

Free Ship free
Goods, & per
contra.

It is furthermore Agreed and Covenanted, That whatsoever shall be found Laden by his Majesties Subjects upon a Ship of the Enemies of the said States, although the same were not Contraband Goods, shall yet be Confiscate with all that shall be found in the said Ship, without exception or reservation : But on the other side also, all that shall be found in the Ships. belonging to the King of Great Britain's Subjects, shall be free and discharged, although the Lading or part thereof belong to the said States Enemies ; except Contraband Goods, in regard whereof such Rule shall be observed as hath been ordered in the precedent Articles.

XI.

All Priviledges
to be en-
joyed. reci-
procally.

All the Subjects and Inhabitants of the said United Provinces shall reciprocally enjoy the same Rights, Liberties and Exemptions in their Trade and Commerce upon the Coasts, and in the Ports, Roads, Seas, and Estates of his said Majesty, (as was now said) which his said Majesties Subjects shall enjoy in those of the said States, and in open Sea ; It being to be understood, that the equality shall be mutual every way on both Sides, even in case the said States should hereafter be in Peace, Amity and Neutrality with any Kings, Princes, and States, who should become Enemies to his said Majesty, so that either of the Parties are mutually to use the same Conditions and Restrictions

ons

ons expressed in the Articles of this present Treaty, which regard Trade and Commerce.

XII.

And the more to assure the Subjects of the said States, that no violence shall be offered them by the Ships of War belonging to his Majesty of *Great Britain*, or his Subjects, all the Captains of the Kings Ships, and all his Majesties Subjects, that set out private Men of War, shall be charged and enjoined not to molest or endamage them in any thing whatsoever, upon pain of being punished and made answerable in their Persons and Goods for all Costs and Damages, until due Restitution and Reparation be made.

Captains and Privateers liable to make good any Damage they shall do.

XIII.

And for this cause the Captains and Capers shall from henceforth every one of them be obliged before they go out, to give good and sufficient Security before competent Judges, in the Sum of Fifteen hundred pounds Sterling, or Fifteen thousand *Livres Tournois*, that they will give full satisfaction for any Injuries or Wrongs they may commit in their Courses at Sea, and for their Captains and Officers that shall violate this present Treaty, and the Orders and Proclamations of His Majesty which shall be published by virtue, and in conformity to the Regulation therein made; upon pain of forfeiting their said Commissions and Licences: Which shall in like manner be practised by the Subjects of the said States General.

To give Security to that end.

XIV.

If it should happen that any of the said *French* Captains should make Prize of a Vessel laden with

Contraband Goods taken, nor to be opened but in presence of the Officers of the Admiralty.

Contraband Goods, as hath been said, the said Captains may not open nor break up the Chests, Mayls, Packs, Bags, Cask, or Sell, or Exchange, or otherwise alienate them, until they have Landed them in the presence of the Judges or Officers of the Admiralty, and after an Inventory by them made of the said Goods found in the said Vessels; unless the Contraband Goods making but a part of the Lading, the Master of the Ship should be content to deliver the said Contraband Goods unto the said Captain, and to pursue his Voyage: In which case the said Master shall by no means be hindred from continuing his course and the design of his Voyage.

XV.

Judgments upon Prizes to be given equitably.

His Majesty being desirous that the Subjects of the said States may be used in all Countries under his Obedience as favourably as his own Subjects, will give all necessary Orders, that Judgments and Decrees upon Prizes which shall happen to be taken at Sea, may be given with all Justice and Equity, by Judges not suspected nor concerned in the Matter under debate: And His Majesty will give precise and effectual Orders, that all Decrees, Judgments, and Orders of Justice already given and to be given, may be readily and duly executed according to the tenor of them.

XVI.

Upon complaint of Judgment, a Review to be granted within Three Months.

And when the Ambassadors of the said States General, or any other of their Publick Ministers Residing in his Majesties Court, shall make Complaint of the Judgments which shall be given, his Majesty will cause a Review to be made of the said Judgments in His Council, to Examine whether
the

the Order and Precautions contained in the present Treaty have been followed and observed, and to provide for the same according to Right and Equity ; which shall be done within the space of Three Months at the farthest : Nevertheless neither before the first Judgment, nor after it, during the time of the Review, the Goods and Effects which are reclaimed, may not be sold or unladen, unless it be with the consent of the Parties interested, to avoid the spoiling of the said Commodities, if they be perishable.

The Goods reclaimed, not to be sold or unladen but by consent.

XVII.

When Process shall be moved in the first or second Instance between those that have taken the Prizes at Sea, and the persons interested therein, and the said interested persons shall come to obtain a favourable Judgment or Decree, the said Judgment or Decree shall have its Execution upon Security given, notwithstanding the Appeal of him that took the Prize ; But the same shall not hold on the contrary, where the Sentence goes against the Claimers. And that which is said in this present, and in the precedent Articles, for the causing of good and speedy Justice to be done unto the Subjects of the United Provinces in the matter of Prizes taken at Sea by His Majesties Subjects, shall be understood and practised by the States General, in regard of Prizes taken by their Subjects from those of His Majesty.

The interested in a Ship taken, obtaining a favourable Judgment, the same to have its Execution upon Security.

XVIII.

But since the Conveniences and Inconveniences of Things and Agreements cannot be discovered but in procedure of Time, and by Observations
drawn

Commissioners to be appointed for the supplying of what shall be found wanting in this Treaty.

drawn from mutual Experience, It is therefore Agreed between the said King of *Great Britain* and the said Lords the States of the *United Netherlands*, That at any time hereafter, when both Parties shall so think it fitting, certain Commissioners by each Party respectively chosen, shall meet by the common Consent of both; who shall make it their Care and Business to supply what ever shall be found wanting in the aforementioned Articles, to change or limit what ever shall not be convenient and commodious for both, and fully compleat a further Treaty both concerning these things, and all other the Laws of Navigation.

XIX.

Ratification within Four Weeks.

All these Agreements, and all and every thing therein contained, shall be Confirmed and Ratified by the said King of *Great Britain* and the States General of the *United Provinces*, by Letters Patents of both Parties, Sealed with their Great Seal in due and authentick Form, within Four Weeks next ensuing, or sooner if it may be, and mutual Instruments shall be Exchanged by each Party within the time aforesaid.

Here

Here follow certain Forms whereof mention is made in the Eighth Article.

A Form of the Certificates that ought to be given by those that have the ordinary Power of the Admiralty of England, to the Ships and Vessels that go out thence, according to the Eighth Article of the present Treaty.

High Admiral of *England*,
To all who shall see these Presents, Greeting.

These are to certify, That we have granted
leave and permission to Master
and Captain of the Ship called
of the City of of the

Burden of Tuns, or thereabouts, being at present in the Port and Haven of _____ to go to _____ Laden with _____ after Search shall have been made of his Ship, and he before his departure shall have made Oath before the Officers that Exercise the Jurisdiction of Maritime Causes, That the said Vessel doth belong to one or more of his Majesties Subjects, an Act whereof shall be put at the bottom of these Presents, as also to keep and cause to be kept by those Aboard him, the Orders and Rules of the Marine, and shall put into the Registry a List Signed and Certified, containing the Names and Surnames, the Nativity and Habitation of the Men that are Aboard him, and of all that shall Imbarque themselves, whom he may not take on Board without the knowledge and permission of the Marine Officers; and in every Port or Haven where he shall enter with his Ship, shall shew the Officers and Marine Judges this his present

Form of the Certificates.

sent Licence, and having finished his Voyage, shall make faithful relation of what hath been done, and hath passed during all the time of his said Voyage, and shall carry the Flags, Arms, and Colours of his Majesty throughout his whole Voyage. In witness whereof, We have Signed these Presents, and caused the Seal of Our Arms to be put thereunto, and the same to be Countersigned by Our Secretary of the Marine, the day of

One thousand six hundred

Signed

And underneath,
By _____ and Sealed with the
Seal of the Arms of the said High
Admiral.

A Form.

*A Form of the Act containing the Oath to be taken
by the Master or Captain of the Ship.*

W^E of the Admiralty of the
do certifie, That Master of the
Ship named in the Passport above, hath taken the
Oath therein mentioned. Given at
the day of One thousand six hun-
dred, &c.

In testimony whereof we have
hereunto set our Hands.

*The Form of the Certificates that ought to be given by
the Burgomasters of the Cities and Sea-Ports of the
United Provinces, to the Ships and Vessels that go
from thence, according to the Eighth Article above-
said.*

TO the Most Serene, Most Illustrious, Most
Mighty, Most Noble, Honourable, and Pru-
dent Lords, Emperors, Kings, Commonwealths,
Princes, Dukes, Comtes, Barons, Lords, Burgoma-
sters, Sheriffs, Counsellors, Judges, Officers, Ju-
stices and Regents of all Cities and Places, as well
Ecclesiastical as Secular, who shall see or read these
Presents. We Burgomasters and Governors of the
City of do certifie, That
Ship-Master appearing before Us, hath declared by
solemn Oath, that the Ship called
containing about Lasts, of which
he is at present the Master, belongeth to Inhabi-
tants

tants of the *United Provinces*. So help him God : And as we would willingly see the said Ship-Master assisted in his just Affairs, We do request you, and every of you where the abovesaid Master shall arrive with his Ship and Goods, that you will please to receive him courteously, and use him kindly, admitting him upon paying the usual Dues, Tolls and other Customs, to enter into, remain in, and pass from your Ports, Rivers and Territories, and there to Trade, Deal and Negotiate in any Part or Place, in such sort and manner as he shall desire. Which we shall most readily acknowledge in the like occasion. In witness whereof We have caused the Seal of Our City to be thereunto put.

In Witness and Confirmation of all and every part whereof, We the Commissioners of His said Majesty the King of Great Britain, and of the said Lords the States General, having sufficient Power given us thereunto, have Signed these Tables, and Sealed them with our Seals. At the *Hague in Holland* the 17. of Febr. in the Year One thousand six hundred sixty eight.

<i>De Gellickm,</i>	<i>G. Hoolek,</i>
<i>B. d' Asperen,</i>	<i>V. Unckell,</i>
<i>John de Witt,</i>	<i>Jan. Van Iffelmuden,</i>
<i>Van Crommon,</i>	<i>L. T. Van Starckenborck.</i>

A Treaty

A Treaty of Friendship and Commerce, between His Majesty of Great Britain, &c. and the Most Serene Prince the Duke of Savoy, Concluded at Florence the 19th day of September, 1669.

The Instrument of Commerce with the Duke of SAVOY.



He convenient Situation of the Port of Villa Franca in the Mediterranean Sea, and the Capacity of the same, together with the Security of it in all respects ; have been efficacious Motives to His Most Serene Highness the Duke of Savoy, for the Exhibiting and Pronouncing the same Free to the whole World: with a Belief, that it might in time prove advantageous to the Publick, and to His Royal Highness in particular. But it so falling out, that the vigour of things which are established by the best Counsel, in process of time, are rendered languid and subject to mutation : It has therefore pleased His Royal Highness, not only to reconfirm the Free State and Condition of his Port ; But over and above to offer the same to His Majesty of Great Britain, &c. increased with new Privileges, and augmented with inviolable Capitulations. To these Motives a most valid and reciprocal Inducement joins it self: To wit, the Luxuriant Fertility of Soil, which is obvious in the Kingdoms and other Plantations which are under the Dominion of His Majesty of Great Britain, &c. As also in the Dominions of His

said Royal Highness : which superfluity, since it is so properly and naturally transmitted, and emptied into the mutual Territories, with the reciprocal fruit, and advantage of the Subject : 'Twas easie for both Princes between whom there passed long since the Tyes of an Ancient Friendship, confirmed by repeated Alliances, and by late conjunction in Blood ; to entertain thoughts of superadding the new Tye of mutual Commerce, by which they might upon the score of advantaging their Subjects, further Oblige, and reciprocally Engage themselves to each other. To this end and purpose it has pleased His Most Excellent Majesty by His Letters Patents under the Great Seal of England, to constitute Sir John Finch Knight, now Resident for His Majesty of Great Britain with the Great Duke of Tuscany, His true and lawfull Attorney, with a Plenipotentiary Power, as appears out of the Letters Patents themselves. And to the same intent and purpose His Royal Highness has thought good to invest with the same Power and Authority Signor Joseph Maurice Philippon, His Counsellor, Auditor, and Procurator General of His Revenue : As is likewise apparent from the Letters Patents of His Royal Highness : Both which Plenipotentiaries, after several Meetings, have finally Concluded as follows.

ARTICLES COVENANTED.

I.

The Peace
Confirmed.

First, Since Commerce was always the Companion of Peace, That Peace which for many Years was never interrupted by War, is now Ratified, Established, and Confirmed, between the Most Potent Monarch **CHARLES** the Second, King of Great Britain, &c. and His Royal Highness
CHARLES

CHARLES EMANUEL the Second of that Name, Duke of Savoy, &c. Both whose Subjects are obliged as well by Sea as Land, upon all occasions, to perform to each other all Actions of mutual Civility and Kindness.

II.

Secondly, It shall be permitted to, and lawful for all forts and kinds of Ships and Vessels, belonging to his Majesty the King of Great Britain, &c. or any of his Subjects, to conduct and bring into the Ports of *Villa Franca*, *Nizza*, or *S. Hospitio*; all things whatsoever, or all kinds of Merchandise, whether produced by Nature, or made by Art, in any part of the World: All which things or Merchandise so brought, shall freely and lawfully by the Captains or Masters, or any under them, or by the Merchants or Factors, his Majesties Subjects, be Landed and brought into the Houses of the said Merchants or Factors, or into any Magazines, or Warehouses out of their Houses in the said Ports; and there conserved and kept by them as long as they please, without Confiscation, Imposition of Custom, or Exaction of any Duty whatsoever. Furthermore, if all the said things, or any part of them, shall not be sold in the said Ports, it is and shall be lawful for the said Captains, Masters, Merchants, or Factors, his Majesties Subjects, freely to send all or any part of the said things by Sea to whatsoever other Place they please, without paying any Custom, Duty, or any sort of Imposition whatsoever.

English to Import freely all sorts of Goods, and Land them without Confiscation or Imposition.

To Reexport what they cannot sell.

III.

Thirdly, That all and every sort and kind of things,

Goods sold,
and sent else-
where by Sea,
to pay no Im-
position.

But such as are
carried by
Land, to be
exempt for
Ten years
only.

After which,
to pay one
half of what is
Imposed by
the Tariffe of
1633.

things, and Merchandise which shall be sold in *Nizza, Villa Franca, or S. Hospitio*, and after the Sale made shall be disposed or sent by Sea into the Territories of any other Prince, both in respect of the Seller and Buyer, shall always be free and clear from all Custom, Duty, or Imposition whatsoever: But as to all those things and Merchandises which after the Sale made in the said Places, shall pass by Land into the Territories of any other Prince, it is also Covenanted and Agreed, That during the space of Ten years to ensue from the day of the Publication of this present Agreement, all such Goods shall be free and clear from all Custom, Duty, or Impost whatsoever for their Passage by Land, and from any other Penalty whatsoever, both in respect of the Buyer and Seller; Which Ten years being expired, if his Royal Highness will not further Confirm this freedom of Passage according to the aforesaid Form and Manner: In such case for all and every the said things, which after Sale made pass by Land as aforesaid, shall be paid only one half of the Imposition or Duty which is exacted for Passage in the Rates or Tariffe Printed in the end of the Order published the 30th October, 1633.

IV.

Goods coming
from any of
the Kings Do-
minions, to be
freely sold in
all the Dukes
Territories.

Fourthly, All and every sort and kind of things or Merchandise which are produced by Nature, or made by Art, in any of his Majesties Kingdoms, or in any Plantations of the *West or East Indies*, or any other Territories which at present are, or hereafter shall be under the Dominion of his Majesty, may and shall be freely sold by the Subjects of his Majesty, throughout all the Dominions of his Royal Highness,

Highness, and any part of his Territories or Places of Jurisdiction, without any Prohibition or Penalty, notwithstanding whatsoever Law or Edict to the contrary, Excepted always, and only, Salt, Tobacco, Gunpowder, Marsh, Birding-Meat, Ballers, Whalebone, Cards of all sorts, because 'tis the Custom to Farm out the Liberty of selling these mentioned things, as Monopolies to particular Persons: Notwithstanding free leave is granted to his Majesties Subjects, according to what is expressed in the second Article, to receive and keep within their Houses, or Warehouses, all the aforesaid forbidden Commodities, without any Custom, Duty or Penalty. Nay further, free leave is granted to his Majesties Subjects to sell the said forbidden Commodities to the Monopolists or Farmers themselves; But all sorts of Merchandise (except the aforesaid Prohibited ones) which shall be introduced and brought into the Ports of *Villa Franca*, *Nizza*, or *St. Eusebio*, when they shall be extracted out of the said Ports, to this end, that they may be vented and sold within the Dominions of his Royal Highness, he alone that extracts them, whether he be the Buyer or the Seller, shall pay only one half of that Custom or Duty which is specified in that Book of Rates or *Tariffe*, a Printed Copy of which under-written by the Procurator of his Royal Highness was by him delivered to Sir *John Finch*, which Duty or Custom once paid, nothing more shall be paid within the Dominions of his Royal Highness, either by the Buyer or the Seller, for the said Goods or Merchandise: with express Declaration, that for all Woollen Manufactures, or whatsoever Commodities aforesaid, which as it appears are not specified in the aforesaid

What Goods excepted;

Which may yet be sold to the Farmers of the Liberty of selling those Goods.

All other extracted to be sold, to pay half Custom of what is specified in the *Tariffe*.

All Woollen Manufactures, or other Goods, not

specified in
the Tariffe, to
pay One and
a half per Cent.

Good will
beings

will do
of the
of the
of the
of the

Ships arriving
with Bills of
Health, to be
admitted to
immediate
Prattick.

But without
such Certifi-
cates, to be
subject to the
Quarantena.

said Books of Rates or Tariffs, shall be paid Duty or Custom, one and a half per Centum, that is half only of the Three per Centum imposed upon all Commodities which are not specified in the mentioned Book of Rates, by the last Article on Lines of it, which Duty or Custom being once paid, nothing more shall be paid neither by the Buyer nor Seller, within the Dominions of his Royal Highness.

And as to the said Books of Rates, they shall be revised and altered according to the said Articles.

Fifthly, It is Covenanted and Agreed, That all sorts of Ships and Vessels belonging to his Majesty of Great Britain, or any of his Subjects, which shall set Sail from England, or any Place under the Dominions of his Majesty, or out of his Majesties Dominions, not being infected with the Plague, and shall arrive at the Ports of Nizza, Villa Franca, or S. Hospitto, with Certificates or Patents of Good health, having in their Voyage had no Commerce with any Places or Persons suspected to be infected with the Plague; are, and ought to be, free and clear from making Quarantena, or any days whatsoever of purgation: and there shall be immediately granted to the Persons in the said Ships, present and free Commerce or Prattick; and all things and Merchandise of whatsoever sort or kind, brought by the said Ships, shall immediately without any delay, be permitted freely to be Landed, and carried into the Houses or Warehouses of the Merchants his Majesties Subjects in Nizza, Villa Franca, or S. Hospitto; But if the above-mentioned Ships shall arrive without a Certificate or Patent of Good health, or if in their Voyage they shall have practised or had Commerce with any Persons or Places suspected of the Plague: In such case both Persons and

and Goods shall be subject to *Quarantena* or Purgation ; but the days of *Quarantena* or Purgation shall be shortned both in respect of the Persons and Goods, as much as the care of preserving the Publick Health can possibly permit ; but what Merchandize is subject to the *Lazaretto*, or to make Purgation, as also the *Lazaretto* Duties or Expence of Goods that make Purgation, is with other Particulars contained in a Paper of the Rates of the *Lazaretto* Duties at the end of this Instrument, which never can or may be changed or altered without the consent of the Consul, and the major part of the Merchants residing in the said Ports.

The *Lazaretto* Duties not to be altered but by the Consul and Merchants consent.

VI.

Sixthly, Because Ports which are called Free are wont to give Protection and Refuge to Bankrupts, or Persons that Fail and Break with other Mens Estates ; The same Piety of his Majesty which Protects those who are good, Punishes them that are bad ; Therefore as to what concerns his Majesties Subjects, 'tis Covenanted and Agreed, notwithstanding whatsoever Edicts published, That his Majesties Subjects be wholly deprived, and utterly cut off from enjoying that Protection which is commonly called Safe Conduct ; reserving to every Subject of his Majesty his proper Right ; Likewise all his Majesties Subjects shall be deprived of the benefit of Protection or Safe Conduct, who shall commit any Crimes whatsoever against his Majesty, as also all of his Majesties Subjects, whether Master, Mariners, or others, who shall be guilty of Barratry ; to whom, as also to all Pirates and Robbers at Sea who are his Majesties Subjects, all Licence shall be denied of Selling Goods or Merchandise, or Contracting for them in the said Ports :

The Kings Subjects to enjoy the Priviledge of Protection against Strangers, not one another.

Treaty of Commerce with the Duke of Savoy.

But in regard all that is mentioned in the foregoing part of this Article, relates only to his Majesties Subjects, 'tis Covenanted likewise and Agreed in favour of the said Subjects, that they shall fully and entirely against all Strangers, (as well as all Strangers against them) enjoy the Priviledge of Safe Conduct or Protection promised, and published in the Edict of a Free Port, By his Royal Highness.

VII.

English Inhabiting in the Port of Nizza, &c. to be free from Taxes.

Seventhly, All the Subjects of his Majesty who live at *Nizza, Villa Franca, or S. Hospitio* in order to Trade or otherwise, are declared free and clear from all Tributes, Taxes, or Levies of Moneys, which are or shall be Imposed by his Royal Highness.

VIII.

Not to be Subject to Arrests, &c. without a Legal preceding Citation.

Eighthly, 'Tis likewise declared, That the Persons of his Majesties Subjects residing at *Nizza, Villa Franca, or S. Hospitio*, shall not be liable or subject to Arrest or Imprisonment, or their Goods to Seifure or Sequestration for any Civil Causes, unless a Legal Citation has first preceded ; But in Criminal Causes, which are punished with Death or Corporal Punishment, they shall be subject to Imprisonment without Citation.

IX.

Liberty of Conscience.

Ninthly, It is permitted, and shall be lawful to all and every one of the Subjects of his Majesty of *Great Britain, &c.* dwelling in the said Ports to live in their own Religion, after the same manner that is permitted either at *Genova, or Legorn*, and a convenient and decent Place of Burial shall be allotted and

and assigned for the Interrment of such of his Majesties Subjects, as shall decease in the said Places.

X.

Tenthly, Since that nothing doth more torment any Man then Controversies in Law before Tribunals of Judicature, in regard of the great Expence both of Time and Money ; But more especially one who is a Stranger to the Customs of the Place, and an Alien to the Laws : Therefore it is Covenanted and Agreed between his Majesty of *Great Britain*, &c. and his Royal Highness, That all Differences or Controversies whatsoever, which shall arise between Subject and Subject of his Majesty, or between the said Subjects and any Person that is no Subject of his Majesty, shall be only Pleaded before, and be Decided only by a Judge who shall be called the Delegate of the *English* Nation, which Delegate shall always be chosen by the Subjects of his Majesty who live at *Nizza, Villa Franca, or S. Hospitio* ; Provided always, that the Election be made out of the number of those Ministers of his Royal Highness which Constitute the Consuls of the Sea : The Delegate so chosen shall be continued during the Pleasure of the National Electors ; Provided that this Continuation be no longer time than what is limited by his Royal Highness for the Period of the Office of the rest of the Consuls of the Sea. When this Delegate is Elected, the Nation shall Present him to his Royal Highness, with a Petition, that by his Authority he may be appointed to Exercise this Charge ; By which Authority being Constituted, he shall with brevity and expedition Decide and Determine all the ~~aforsaid~~ Controversies, without the Formality of Legal Processes, according to the vali-

About the Deciding of Controversies.

A Judge to be chosen, and called the Delegate of the *English* Nation.

To Decide all Controversies.

No Appeal
but to the Tri-
bunal of the
Consuls of the
Sea.

dity and weight of Reason, having regard only to the truth of the Fact : And all this shall be done without any Costs, Charges, or Expence, except only the bare payment of the Writing. From the Sentence given by this Delegate there shall no Appeal be made or allowed, except to the Tribunal of the Consuls of the Sea residing at *Nizza*, where the Delegate himself is to be one, and sits as one of the Judges, from which Tribunal no Appeal is to be admitted. But if in the progress of time, his Majesties Subjects in the said Ports become numerous, (which is to be hoped, from the good and well composed Laws) if any Inconvenience be found in the Deciding of Controversies according to the manner prescribed ; then as to whatsoever Controversies which shall happen and arise only between Subject and Subject of his Majesty, the following Rule for an unappealable Deciding of them shall be Established and Confirmed between his Majesty and his Royal Highness, which then is to be in full force and vigour from that time which his Majesty shall require it of his Royal Highness. The Form or Rule is this : The Subjects of his Majesty shall choose out of the number of the *English* Nation Three, which for Life and Manners are esteemed Men of the greatest Integrity amongst them ; these Three they shall humbly Present to his Royal Highness, that he may benignly please to appoint One of them, who under the Title of Delegate of his Royal Highness, is to Exercise the Office which shall immediately be declared : By whose Authority when he shall be Constituted, and to that purpose has obtained Letters from his Royal Highness, he shall notwithstanding be incapable of Exercising his Charge, till he hath first taken Oath before the already mentioned

Controversies
amongst the
English to be
Decided by
Arbitration.

tioned National Delegate ; or, in his absence, before some other of the Consuls of the Sea residing at *Nizza* for his Royal Highness. These things premised, when a Controversie or Difference shall arise or happen, the Plaintiff and the Defendant shall each of them choose two Arbitrators, whom they shall declare and constitute to be such before the Delegate of his Royal Highness, to every one of which the Delegate shall administer an Oath upon the holy Evangelists, to this purpose ; *That they will according to the utmost of their power, laying aside all respect of Persons, and according to good Conscience and best Rule of Justice, give their Sentence of Arbitration Righteously and Faithfully.* After which Oath they may convene, as occasion offers, but always in the presence of the said Delegate ; which Delegate shall have no Voice in case that the major part of the four Arbitrators agree in their Arbitration ; which if they do, the Decision so made shall be valid and firm : But if the Arbitrators by reason of their equality of Votes agree not ; then the Delegate of his Royal Highness, having first taken the same Oath the Arbitrators did, before one of the Consuls of the Sea at *Nizza*, shall have a Vote amongst the other four Arbitrators, and the Decision shall be on that side which has the majority of Votes, to all purposes valid and firm. In both Cases the Decision thus Amicably made, shall be transmitted to his Royal Highness within the space of One month, that by his Authority it may have its full force, and be put in Execution. This Delegate shall be further obliged to make Writings or Records, as Delegate of his Royal Highness, and it shall be his Charge carefully to keep and preserve the same. He shall be continued three years in his Office, and be obliged

ged to give an Account to the Delegates that succeeds him, of all matters that were Transacted under him.

XI.

If any English die Intestate, who shall take care of his Estate.

Eleventhly, If any Subject of his Majesty shall die in the said Ports without making his Will, or shall appoint by his Will one to be Executor who lives in none of the said Ports, the whole Nation shall be convened, and by them some Persons shall be chosen of good Life, Fame, and Credit ; who together with the Delegate of his Royal Highness his Majesties Subject, and the Consul of the Nation, shall take care of the Estates of the Person deceased, so that it may not be embezzelled, but kept for them to whom of right it does belong : Which Persons so elected by the Nation, shall be, before the Tribunal of the Consuls of the Sea residing at *Nizza*, Constituted and appointed Administrators to the Intent aforesaid, of the Goods of the Deceased : And to this end they shall have full Power to demand and keep whatsoever of right belonged to the Person deceased, and also to pay and discharge whatsoever of right was due from the deceased Person to any other.

XII.

English Mariners leaving their Ships, to be restored to their first Captain or Master.

Twelfthly, All Mariners, Subjects of his Majesty, who shall desert their own Captain or Master, and enter into any other Ship or Vessel, upon complaint made to the Officer of his Royal Highness at *Nizza*, *Villa Franca*, or *S. Hospitio*, shall be taken from the Ship that received them, and be restored to their first Captain or Master. If any Mariner deserts his own Captain or Master, and retires into any publick or private House of any of the Inhabitants

in

in the said Ports, and shall be concealed by the Inhabitant, he shall be forcibly taken out of the House, and the House-keeper Fined Twenty Dollars for every such Offence ; If any Mariner shall lie all Night on Shore in any publick or private House, without leave in Writing under the Hand of his Officer, the House-keeper Lodging him shall pay Ten Dollars ; If any Mariner contracts a Debt with, or runs in Debt to any Inhabitant of the said Ports, above the Sum of One Dollar, without License in Writing from his Captain or Master, his Creditor shall lose it : But if any Mariner does get one to be Bound for the Debt, who is not a Mariner, the Mariner shall be let go ; But the Person that is Bound for him may be retained for the Debt.

About Mariners lying on Shore, or running in Debt.

XIII.

Thirteenthly, It is Covenanted and Agreed, That all Ships of War belonging to his Majesty, whensoever they shall come into the said Ports, shall in every Point be received with the same Honour as any Ships or Vessels whatsoever belonging to whatsoever Monarch or Prince ; During the abode of his Majesties Ships in the said Ports, nothing necessary or convenient shall be denied them, they paying a competent Price for it ; And as for their Victualling, License is granted to any Person deputed to Victual the Ships throughout all the Dominions of his Royal Highness, to Contract for, and Buy all things necessary and convenient for sustenance, and to cause all the said things so bought, to be brought into the said Ports, without any Custom, Duty, or Impost, paying for them only the first Cost ; And it is further Covenanted, That the said Ships of War of his Majesty, during their abode

English Men of War to be treated with all respect.

Victuals for the said Ships to pay no Custom but the first Cost.

The said Ships being in Port, to be protect-

in

ed against all
Violence.

in the said Ports, shall be Protected and Defended against any whomsoever that would attempt any Violence or Hostility against them.

XIV.

Fourteenthly, Since in this Instrument of Commerce there has been mention made of certain *Fiscal* Orders or *Tariffes*, commonly called Books of Rates or Publick Duties : One of which Printed the Tenth of *December*, One thousand six hundred and fifty one, contains the Customs or Duties which are to be paid for all Commodities whatsoever, which are sold within the Dominions of his Royal Highness. A Second contains at the end of the General Order of the *Porto Franco*, (the Thirtieth of *October*, Onethousand six hundred thirty three) The Duties that are to be paid for Passage by Land through the State of his Royal Highness. And the Third, and the Last, underwritten by the Procurator of his Royal Highness, contains the *Lazaretto* Duties or Expences which are to be paid for the Purging of Goods that make *Quarantena* ; All which three Books of Rates and Duties are to be Regulated according to the Limitations and Restrictions in the foregoing Articles : 'Tis Covenanted, That the said *Tariffes*, or Rates and Duties, shall never be changed or altered without consent of the Consul and the major part of the *English* Merchants and Factors residing in the said Ports. 'Tis also further Covenanted, That the Merchants and Factors, Subjects of his Majesty, shall be dispatched with all Expedition in the several Places where Customs or Duties are to be paid, and that none of the said Subjects shall be at any time liable to Revision of Accounts under pretence of Defraudation.

Tariffes not to
be changed,
but by consent
of the Consul
and *English*.

Officers of the
Customs ex-
acting any
thing more
then what by
the *Tariffes* is
prescribed, to
be punished.

dation. And if any Officer of his Royal Highness by way of Reward, Voluntary Donative, or any other way whatsoever, shall exact or receive any Sum or Value beyond what is appointed in the mentioned *Tariffes* or Rates, limited as in the aforesaid Articles: The Person so offending shall be Imprisoned the space of Three months or more, if his Royal Highness think fit, and shall pay three times the full value of what he so demanded or received; one half of which shall be applied to his Royal Highness, and the other half to the Accuser or Informer.

XV.

Fifteently and Lastly, 'Tis Covenanted and Agreed, That all Immunities, Priviledges, and Concessions, which in the General Publication of a Free Port made by his Royal Highness are not mentioned or specified in the foregoing Articles, shall be for the full Advantage of his Majesties Subjects to all intents and purposes, be understood to be expressly mentioned and contained in the Body of this present Instrument: And whatsoever for the future of Immunity, Priviledge or Advantage, shall be granted to any other Kingdom or State, all and every of the said Immunities, Priviledges, and Advantages are and shall be as fully with all their Circumstances granted to his Majesties Subjects, as if they were expressly Covenanted and Agreed for in this present Instrument. For the full and undoubted Confirmation of which, and af all the foregoing Articles, the above-named Procurators of his Majesty of *Great Britain, &c.* and his Royal Highness, having diligently read and weighed all the above-said Fifteen Articles, have hereunto put their

Q

Hands

English to enjoy all the Immunities mentioned in the Publication of this free Port, and all others which may be granted to any other Nation.

Treaty of Commerce with the Duke of Savoy.

Hands and Seals, at *Florence* the Nineteenth day
of *September*, the Year of our Lord One thousand six
hundred sixty nine.

*L. S.**John Finch.**L. S.**Joseph Maurice Filippone.*

A Treaty

A Treaty for the Composing of Differences, Restraining of Depredations, and Establishing of Peace in America, between the Crowns of Great Britain and Spain, Concluded at Madrid the 18th day of July, in the Year of our Lord 1670.



Hereas for many Years past the good Preface.

Understanding and Correspondence between the English and Spanish Nations having been disturbed in America, It pleased the Most Serene and Powerful Prince Charles, King of Great Britain, &c. in or-

der to the Restoring and Regulating the same, for the future to send into Spain his Envoy Extraordinary Sir William Godolphin Knight, with full Authority and Power to make any Treaty convenient and proper for that end: And likewise the Most Serene and Powerful Charles, King of Spain, &c. and the Queen Regent Maria-Anna, &c. for the carrying on a Work of so much Piety and Publick Good, Deputed on their Part the Earl of Penaranda, Councillor of State, and President of the Indies, to Confer, Treat and Conclude thereupon with the said Sir William Godolphin: At length they mutually Resolved and Agreed upon the Articles of the following Treaty in Virtue of their several Commissions.

I.

First, It is Agreed between the above-mentioned Plenipotentiaries Sir William Godolphin and the Earl of Penaranda, in the Names of the

The Treaty of 1667 Confirmed.

Treaty with Spain concerning America.

Most Serene Kings respectively their Masters, That the Articles of Peace and Alliance made between the Crowns of *Great Britain* and *Spain* in *Madrid* on the ¹³/₂₃ of *May* 1667, or any Clause thereof, shall in no manner be deemed or understood to be taken away or abrogated by this present Treaty ; but that the same shall remain perpetually in their ancient force, stability and vigour, so far forth as they are not contrary or repugnant to this present Convention and Articles, or to any thing therein contained.

II.

An Universal
Peace as well
in *America* as
elsewhere.

That there be an Universal Peace, true and sincere Amity in *America*, as in the other Parts of the World, between the Most Serene Kings of *Great Britain* and *Spain*, their Heirs and Successors, and between the Kingdoms, States, Plantations, Colonies, Forts, Cities, Islands and Dominions, without any distinction of Place belonging unto either of them, and between the People and Inhabitants under their respective Obedience, which shall endure from this Day for ever, and be observed inviolably, as well by Land as by Sea and Fresh-waters, so as to promote each the Welfare and Advantage of the other, and favour and assist one another with mutual Love ; and that every where, as well in those remote Countries as in these which are nearer, the faithful Offices of good Neighbourhood and Friendship may be exercised, and increase between them.

III.

All Enmities
and Deprada-
tions to cease.

Also, that for the time to come, all Enmities, Hostilities and Discords between the said Kings, their

their Subjects and Inhabitants cease and be abolished: And, that both Parties do altogether forbear and abstain from all Plundering, Depredation, Injuries and Infestation whatsoever, as well by Land as by Sea and in Fresh-waters, every where.

IV.

The said Most Serene Kings shall take care that their Subjects do accordingly abstain from all Force and Wrong-doing: And they shall Revoke all Commissions and Letters of Reprisal and Mart, or otherwise containing Licence to take Prizes, of what condition or kind soever, being to the Prejudice of the one or other of the said Kings, or of their Subjects, whether the same have been given or granted by them unto Subjects or Inhabitants, or unto Strangers; and shall declare the same to be void and of no force, as by this Treaty of Peace they are declared so to be: And whosoever shall do any thing to the contrary, he shall be punished not only Criminally according to the merit of his Offence, but shall also be compell'd to make Restitution and Satisfaction for the Losses to the Parties damnified, requiring the same.

Letters of
Mart Revoked.

Restitution
for Losses contrary to this
Treaty.

V.

And furthermore, the said Kings shall Denounce, as by the Tenor of these Presents every of them hath and doth Renounce, whatsoever League, Confederation, Capitulation, and Intelligence made by what manner soever in the Prejudice of the one or the other, which doth or may repugn against this Peace and Concord, and all and singular the Contents thereof: All which and every of them, so far as they do concern the Effect aforesaid,

Renunciation
of all Leagues,
&c. contrary
to this Peace.

Treaty with Spain concerning America.

said, they shall annul and make void, and declare to be of no force or moment.

VI.

Prisoners released.

The Prisoners on both Sides, one and all, of what Degree or Condition soever, detained by reason of any Hostilities hitherto committed in *America*, shall be forthwith set at liberty, without Ransom, or any other Price of their Freedom.

VII.

All Injuries to be forgotten.

All Offences, Damages, Losses, Injuries, which the Nations and People of *Great Britain* and *Spain* have at any time heretofore, upon what Cause or Pretext soever suffered by each other in *America*, shall be expunged out of remembrance, and buried in Oblivion, as if no such thing had ever past.

English to keep what they possess at present in *America*.

Moreover, It is Agreed, That the Most Serene King of *Great Britain*, his Heirs and Successors, shall have, hold, keep and enjoy for ever, with plenary Right of Sovereignty, Dominion, Possession and Propriety, all those Lands, Regions, Islands, Colonies and Places whatsoever, being or situated in the *West-Indies*, or in any part of *America*, which the said King of *Great Britain* and his Subjects do at present hold and possess; So as that in regard thereof, or upon any Colour or Pretence whatsoever, nothing more may or ought to be urged, nor any Question or Controversie be ever moved concerning the same hereafter.

VIII.

The Subjects and Inhabitants, Merchants, Captains, Masters of Ships, Mariners of the Kingdoms, Provinces and Dominions of each Confederate respectively,

ſpectively, ſhall abſtain and forbear to Sail and Trade in the Ports and Havens which have Fortifications, Caſtles, Magazines or Warehouſes, and in all other Places whatſoever poſſeſſed by the other Party in the *West-Indies*; to wit, The Subjects of the King of *Great Britain* ſhall not Sail unto, and Trade in the Havens and Places which the Catholick King holdeth in the ſaid *Indies*: Nor in like manner ſhall the Subjects of the King of *Spain* Sail unto, or Trade in thoſe Places which are poſſeſſed there by the King of *Great Britain*.

Sailing to, or Trading in each others Ports in *America*, forbidden;

IX.

But if at any time hereafter either King ſhall think fit to grant unto the Subjects of the other any general or particular Licence or Priviledges of Navigating unto, and Trading in any Places under his Obedience who ſhall grant the ſame, The ſaid Navigation and Trade ſhall be exerciſed and maintained according to the Form, Tenor and Effect of the ſaid Permiſſions or Priviledges to be allowed and given; For the Security, Warrant and Authority whereof, this preſent Treaty and the Ratification thereof ſhall ſerve.

Except by Licence.

X.

It is alſo Agreed, That in caſe the Subjects and Inhabitants of either of the Confederates, with their Shipping (whether publick and of War, or private and of Merchants) be forced at any time through ſtreſs of Weather, purſuit of Pirates and Enemies, or other Inconvenience whatſoever, for the ſeeking of Shelter and Harbotr, to retreat and enter into any of the Rivers, Creeks, Bays, Havens, Roads, Shores, and Ports belonging to the other

In caſe the Ships of either Party be forced into the others Harbours in *America*, they ſhall be protected, and have leave to buy Viſuals, and freely go away again.

in:

in *America*, they shall be received and treated there with all humanity and kindness, and enjoy all friendly protection and help: And it shall be lawful for them to refresh and provide themselves at reasonable, and the usual Rates, with Victuals and all things needful, either for the sustenance of their Persons, or reparation of their Ships, and convenience of their Voyage; And they shall in no manner be detained or hindred from returning out of the said Ports or Roads, but shall remove and depart, when and whither they please, without any let or impediment.

XI.

In case of
Shipwrack,
Persons saved
not to be kept
Prisoners.

Likewise, if any Ships belonging to either Confederate, their People and Subjects, shall within the Coasts or Dominions of the other stick upon the Sands, or be Wrack'd, (which God forbid) or suffer any Damage, the Persons Shipwrack'd and cast on the Shore shall in no sort be kept Prisoners, but on the contrary, all friendly Assistance and Relief shall be administred to their Distress, and Letters of Safe-conduct given them for their free and quiet Passage thence, and the return of every one to his own Country.

XII.

In case three
or four Ships
come together
into any Port,
not to stay
without leave
from the Go-
vernor, nor to
Trade.

But when it shall happen, that the Ships of either (as is above-mentioned) through danger of the Sea, or other urgent Cause, be driven into the Ports and Havens of the other, if they be three or four together, and may give just ground of Suspicion, they shall immediately upon their arrival acquaint the Governor or chief Magistrate of the Place with the Cause of their coming, and shall stay no longer then
the

the said Governor or chief Magistrate will permit, and shall be requisite for the furnishing themselves with Victuals, and Reparation of their Ships: And they shall always take care not to carry out of their Ships any Goods or Packs, exposing them to Sale, neither shall they receive any Merchandise on Board, nor do any thing contrary to this Treaty.

XIII.

Both Parties shall truly and firmly observe and execute this present Treaty, and all and every the Matters therein contained, and effectually cause the same to be observed and performed by the Subjects and Inhabitants of either Nation.

Both Parties shall cause this Treaty to be kept.

XIV.

No private Injury shall in any sort weaken this Treaty, nor beget Hatred or Dissentions between the foresaid Nations, but every one shall answer for his own proper Fact, and be prosecuted thereupon; Neither shall one Man satisfy for the Offence of another by Reprisals, or other such like odious Proceedings, unless Justice be denied or unreasonably delayed, in which case it shall be lawful for that King, whose Subject hath suffered the Loss and Injury, to take any Course according to the Rules and Method of the Law of Nations, until Reparation be made to the Sufferer.

No Reprisals but in case of denying, or unreasonably delaying Justice.

XV.

The present Treaty shall in nothing derogate from any Preeminence, Right or Dominion of either Confederate in the *American* Seas, Channels or Waters, but that they have and retain the same in as full and ample manner, as may of right belong

This Treaty not to prejudice either's Dominion in those Seas.

R

unto

Treaty with Spain concerning America.

unto them ; But it is always to be understood, that the Liberty of Navigation ought in no manner to be disturbed, where nothing is committed against the genuine sense and meaning of these Articles.

XVI.

Ratification.

Lastly, The solemn Ratifications of this present Treaty and Agreement, made in due Form, shall be delivered on both Sides, and mutually Exchanged within the space of Four Months from this Day ; And within Eight Months, to be computed from the said Exchange of the Instruments, (or sooner if possible) they shall be Published in all convenient Places throughout the Kingdoms, States, Islands and Dominions of both Confederates, as well in the *West-Indies* as elsewhere.

In Testimony of all and singular the Contents hereof, We the above-mentioned Plenipotentiaries have Signed and Sealed this present Treaty, at Madrid the 18th Day of July, in the Year of our Lord 1670.

The Count of
Penaranda,
L. S.

William Godolphin,
L. S.

Articles

Articles of Alliance and Commerce between the Most Serene and Potent Prince Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. And the Most Serene and Potent Prince Christian the Fifth, by the Grace of God, King of Denmark, Norway, &c. Concluded at Copenhagen the 11th day of July, 1670.

I.



That there be between the two Kings, their Heirs and Successors ; As also their Kingdoms, Principalities, Provinces, Estates, Counties, Islands, Cities, Subjects and Vassals, of what Condition, Dignity and Degree soever, by Land and Sea, in Rivers, Fresh-waters, and all Places whatsoever, as well in *Europe* as out of *Europe* ; now and for the time to come, a sincere, true and perfect Friendship, Peace and Confederation ; So as that neither Party do any Wrong, Injury or Prejudice to the Kingdoms, Principalities, Provinces, and Estates, or to the Inhabitants and Subjects of the other ; nor suffer any to be done by others, as much as in him is : But rather live as Friends together, using each other with Good-will and Respect ; And promoting upon all Occasions the Interests and Advantages of each other, and their Subjects, as if they were their own : And preventing and hindring with all their power, by their

A perfect
Peace and
Friendship.

Assistance and Advice, any Damage, Wrong and Injury that may be offered them.

II.

Not to consent to any thing prejudicial to each other.

Neither of the foresaid Kings and their Heirs shall consent to any thing that may be to the Prejudice or Detriment of his Allie ; but if either of the Kings shall know that any thing is Proposed, or is in Agitation or Contrivance, or that will be Proposed, Agitated, or Contrived, which may tend to the Detriment of the other ; He shall be obliged to signify the same unto him without delay, and in the mean time to hinder and prevent it by all ways possible.

III.

Not to Assist each others Enemies, if Aggressors.

The foresaid Kings for themselves, their Heirs and Successors, mutually do undertake and promise, That they will not aid or furnish the Enemies of either Party, that shall be Aggressors, with any Provisions of War, as Souldiers, Arms, Engines, Guns, Ships, or other Necessaries for the use of War, or suffer any to be furnished by their Subjects : But if the Subjects of either Prince shall presume to act contrary hereunto, then that King, whose Subjects shall have so done, shall be obliged to proceed against them with the highest severity, as against Seditious persons, and Breakers of the League.

IV.

To Assist Denmark if Invaded.

It is further Covenanted and Agreed, That if at any time hereafter any Prince or State shall Invade, or by any Hostile way Attempt upon the Hereditary Kingdoms, Provinces, Counties, Towns, Islands, Territories or Dominions of the King of
Denmark,

Denmark which he now possesseth, then the King of *Great Britain* shall Assist the said King of *Denmark* in time, with such number of Land Forces and Ships of War, against such Aggressor, as shall suffice to repell the Force, and as the State of the said Kings Affairs shall require. And the said King of *Great Britain* shall therefore with all his Power endeavour to hinder, that by such Invasion or Disturbance the King of *Denmark* be not prejudiced in any wise in his Kingdoms, Dominions or Rights. And if the said King of *Great Britain*, or the said King of *Denmark*, shall Contract or make any League, Alliance or Union with any other King, Prince, Commonwealth or State, they shall respectively endeavour to comprehend therein each other, and their Dominions, (as much as in them lies) if they shall desire to be comprehended.

Each Party to be comprehended in any Treaty made with others.

V.

It shall be lawful for the Subjects of both Kings with their Commodities and Merchandise both by Sea and Land, in time of Peace without Licence or Safe-Conduct general or special, to come to the Kingdoms, Provinces, Mart-Towns, Ports and Rivers of each other, and in any Placetherein to remain and Trade, paying usual Customs and Duties; Reserving nevertheless to either Prince his Superiority, and Regal Jurisdiction in his Kingdoms, Provinces, Principalities and Territories respectively.

Freedom of Trade.

VI.

It is notwithstanding Covenanted and Concluded, That the Subjects of the King of *Great Britain* shall in no wise come to the Prohibited Ports, of which

English not to come to Prohibited Ports, but by Licence

or stress of
Weather.

Nor the *Danish*
to any of the
Plantations.

which mention is made in precedent Treaties, nor Colonies, without the special Licence of the King of *Denmark* first desired and obtained ; unless they shall be compelled to make thither, and enter therein, by stress of Weather, or pursuit of Pirates, in which case neither shall it be lawful for them to buy or sell. As also in like manner the Subjects of the King of *Denmark* shall not come to the *British* Colonies, unless by special Licence of the King of *Great Britain* first desired and obtained.

VII.

Danish to bring
in all things of
their own
Growth or
Manufacture
into *England*,
Scotland, or
Ireland, and
such as come
from the *Elbe*.

It shall be lawful for the Subjects of the Most Serene King of *Denmark* to bring into their own Stores and Warehouses in *England*, *Scotland*, and *Ireland*, and other the Ports of the King of *Great Britain* in *Europe*, such Commodities as now, or hereafter shall be of the Growth and Production of the Estates, Countries and Dominions subject to the King of *Denmark*, or of the Manufacture thereof, and likewise such as come from any part of the River of *Elbe*.

The like liberty
to the *English* in the
King of *Denmark*'s Domi-
nions, except
Ports Prohib-
ited.

In like manner shall it be lawful for the Subjects of the King of *Great Britain* to Import and bring into *Denmark*, *Norway*, and all other Ports and Colonies not prohibited of the King of *Denmark*, all kinds of Merchandise which now or hereafter shall be produced or made in the Kingdoms, Countries and Estates under the Subjection of the King of *Great Britain*. But if at any time hereafter it be permitted to any Foreign Nations, to bring all kinds of Commodities without exception, into *England*, *Scotland*, and *Ireland*, and other the Ports belonging to the King of *Great Britain*, then the same also shall be lawful for the Subjects of the
King

In case any
Strangers have
hereafter liberty
to bring
all sorts of
Goods into
Prohibited
Ports, both

King of *Denmark* : Which in like manner shall be permitted to the Subjects of the King of *Great Britain*, upon the like occasion, in the Prohibited Ports and Colonies of the King of *Denmark*.

Parties respectively to have the same Privilege.

VIII.

It is also Covenanted and Agreed, That the People and Subjects of the King of *Great Britain* Sailing to any the Hereditary Kingdoms, Countries, or Dominions of the King of *Denmark*, or Trading in the same, shall pay no more or greater Customs, Tribute, Toll, or other Duties, nor in any other manner then the People of the United Provinces of the *Low-Countries*, and other Strangers, (the *Swede* only excepted) Trading thither, and paying lesser Customs, do or shall pay ; And in going, returning, and staying, as also in Fishing and Trading, and all other things shall enjoy the same Liberties, Immunities, and Privileges, which the People of any Foreign Country in the said Kingdoms and Dominions of the King of *Denmark*, abiding and Trading, do or shall enjoy : And so on the other side, the People and Subjects of the King of *Denmark*, shall have and enjoy the same Privileges, in the Countries, and Territories of the King of *Great Britain* ; to wit, That the People and Subjects of the King of *Denmark*, Sailing to any the Kingdoms, Countries or Dominions of the King of *Great Britain*, or Trading in the same, shall not pay any more or greater Customs, Tributes, Toll, or other Duties, nor in any other manner then the People of the *United Netherlands*, or other Strangers. Trading thither, and paying lesser Customs, do or shall pay : And in going, returning and staying, as also in Fishing and Trading, and all other things, shall

The *English* to pay no greater Duties then other Strangers, except the *Swedes*.

Danes to pay no greater Custom in *England* then any other Strangers.

shall enjoy the same Liberties, Immunities and Privileges, which the People of any other Foreign Country in the said Kingdoms and Dominions of the King of *Great Britain*, Abiding and Trading, do or shall enjoy : But so, as that the Power of each King of Making or Altering Customs, or other Duties, as they shall see occasion, in their respective Kingdoms, Countries, Dominions, and Ports, remain full and entire ; Provided the fore-said equality be strictly observed on both Sides in manner aforesaid.

IX.

Leave to bring
all Goods into
their proper
Storehouses
respectively.

It is also Covenanted, That when the Subjects of either King have Imported their Commodities into the Dominions of the other, have paid the usual Customs for them, and undergone their Search, it shall be free and lawful for them, to bring their said Commodities into their own proper Storehouses and Cellars, or into Places which they shall think most fit and convenient, and there Store them ; Nor shall any Magistrate or Officer of any the Cities or Ports of either, impose upon them any Cellars or Storehouses without their consent.

X.

Neither Party
obliged to
come into any
Port where he
is not bound,
nor (being
forced in)
obliged to un-
lade or sell a-
ny part of his
Goods.

The Subjects of either Crown Trading upon the Seas, and Sailing by the Coasts of either Kingdom, shall not be obliged to come into any Port, if their Course were not directed thither ; but shall have liberty to pursue their Voyage without hinderance or detention whithersoever they please. Nor shall they, being by Tempest forced into Port, and there remaining, be obliged to unlade their Cargo, or to barter or sell any part thereof ; But it shall be
lawful

lawful for them to dispose of it as they shall think fit, and to do any other thing which they shall judge most for their advantage : Provided nothing be done that may be to the defrauding of either Prince of his due Rights and Customs.

XI.

It is also Agreed, That after any Planks, Masts, and other sorts of Timber, have been once put on Board the Ships of the Subjects or People of the King of *Great Britain*, they shall not be liable to any further Search ; But all Search or Scrutiny shall be made before ; And if then, either Oaken or other prohibited Timber be found, it shall be presently stopped and detained upon the Place before it be put on Board the Ships ; Nor shall the People of the said King of *Great Britain*, or his Subjects, be therefore molested in their Persons or Estates by Arrest, or other Detention whatsoever ; But only the Subjects of the King of *Denmark*, who shall have presumed to Sell or Alienate any the like prohibited Timber, shall be punished in due manner. And the People and Subjects of the King of *Great Britain*, shall have, possess and enjoy all and singular the Contents and Concessions of this Article, without any Molestation or Interruption, so long, and for all such time as the Subjects or any of the People of the *United Netherlands*, shall hold, possess, and enjoy, or might, or ought to hold, possess, and enjoy the same or like Privileges by any Treaty already made, or to be made, or by any Contract, Agreement or Permission.

Concerning
Timber pro-
hibited to be
Laden on
Board any
English Ship.

XII.

It is also Concluded and Agreed, That all Ships
S belong-

English Ships passing the *Sound*, to have the Benefit of deferring the Payment of their Custom till their return.

belonging to the Subjects of the King of *Great Britain*, and Merchants in their Passage through the *Sound* under the Most Serene King of *Denmark* and *Norway*, &c. shall enjoy after the same manner the Benefit and Privilege of deferring the Payment of their Customs until their return, as they held and enjoyed in former years last preceding the late War; But so nevertheless, that the said Ships and Merchants bring with them Certificates under the Seal of the Officers of the said King of *Great Britain* deputed thereunto, testifying the said Ships to belong to Subjects of the King of *Great Britain*; And likewise that before their Passage they give sufficient and good Security for paying the same in Place convenient, to the Collectors of the Customs of the said King of *Denmark*, at their return, or if they shall not return, within Three Months time at the farthest, if they do not pay the same at their said first Passage.

XIII.

Goods Landed at *Elfsinore* to be Transported elsewhere, to pay no Duties but what the *Dutch* pay.

And furthermore it is Agreed, That whatsoever Merchandise the Subjects of the King of *Great Britain* shall Land at *Elfsinore*, and there lay in their Storehouses, to no other end then to put on Board again entire, and Transport them to other Parts, they shall be obliged to pay only the same Duties for such Merchandise, and no more, then is wont to be paid in this case by the *Dutch* Nation, or any other Strangers: Which shall be reciprocally observed to the Subjects of the King of *Denmark* after the same manner in *England*.

XIV.

Also it is Agreed, That the Ships and Subjects of the

the King of *Great Britain* shall have their Dispatch at *Elſignore* as soon as they arrive there, without delay, no Ships, of what Nation soever, having preference before them in this behalf : Except the Inhabitants of certain Places, who have anciently held a Priviledge to that purpose, and still do.

English Ships and Subjects to be dispatched at Elſignore.

XV.

If any Subject of either Prince shall happen to die in the Dominions or Territories of the other, it shall be lawful for him to dispose of his Estate, both Money and Goods, in any manner whatsoever : And if any one die within the Kingdoms or Provinces of the other Prince without making any such Dispositions, then the Goods by him left, moveable or immoveable, of whatever nature or condition the same shall be, shall be faithfully preserved for the use of the right Heir, and for satisfaction of such Debts as the Party deceased was justly bound to pay : And to that end, so soon as any Subject of either Prince shall die in the other Princes Dominions, the Consul or Publick Minister then Residing there, shall have right to possess the said Moneys and Goods, and shall make Inventories of the same before some Magistrate of the Place ; Which Goods shall afterwards remain in his hands, to be answered to the Heirs and Creditors as aforesaid ; But if no such Consul or Publick Minister shall be there, then it shall be lawful for two Merchants of the same Country with the Party deceased to possess the Goods left by him, to preserve them, and in like manner to answer them to the Heirs and Creditors. Which notwithstanding is to be so understood, that no Papers or Books of Accounts are by this Article to be exposed to the inspection of the said Magistrate,

Either Princes Subject dying in the others Dominions, his Estate to be preserved, &c.

strate, but only the real Goods and Merchandise of the Deceased ; And that the said Magistrate within the space of Fourty eight hours, after notice given, and request made, shall be obliged to be present, otherwise the said Inventories shall be made without him.

XVI.

Freedom of Trade with each others Enemies, unless in Ports Besieged, and Contraband Goods.

It shall be lawful for either of the Confederates and their Subjects or People to Trade with the Enemies of the other, and to carry to them, or furnish them with any Merchandises (Prohibited only, which they call Contrabanda, excepted) without any impediment, unless in Ports and Places Besieged by the other ; Which nevertheless if they shall so do, it shall be free for them either to sell their Goods to the Besiegers, or betake themselves to any other Port or Place not Besieged.

XVII.

Any Merchant to reside freely where he Trades.

It is also Agreed, That it shall be free and lawful for the Subjects of either Prince, Trading in the Dominions or Ports of the other, there to remain and reside for the buying and selling Commodities, without any restriction of Time, or Limitation to be imposed upon them by any Officers or Magistrates of the said Dominions or Ports, they paying the accustomed Duties for all Goods and Merchandise by them Imported or Exported ; And further provided that they Trade with none but such as are Citizens, or Burgers of some City or Town within the Kingdoms of *Denmark* or *Norway*, and that only by Wholesale, and not by Parcels or Retail.

XVIII. Fur-

XVIII.

Furthermore, for the better encouragement of Trade and Commerce, and for the utter avoiding of all Frauds and Disputes that may arise between the Officers of Ports and Merchants, It is Agreed and Concluded, That all and singular Duties shall be demanded and paid according to the Printed *Tariffe*, (or Book of Rates) wherein shall be comprised all Customs and Duties to be paid, as well for Goods in the respective Ports, as for Passage through the *Sound*: And to the end that this may be the more strictly observed, both Kings shall not only enjoyn his Officers and Collectors of his Customs under the highest Penalty; not to do any thing that may frustrate or elude this Agreement; But also that they do not by Molestation or Exaction, cause any Trouble, or offer any Injury to the Subjects of either King.

Duties to be paid according to the Printed *Tariffes*.

XIX.

Moreover, it is Concluded and Agreed, That the King of *Denmark* shall constitute the Overseers of his Customs or others, Commissioners for re-measuring all Ships belonging to the Subjects of the King of *Great Britain* Trading in *Norway*, according to their Burden and Content, so as that what has been hitherto not rightly observed, either in excess or defect, may be hereafter reduced into better order.

English Ships Trading to *Norway*, to be re-measured.

XX.

But lest such freedom of Navigation or Passage of the one Allie and his Subjects and People, during the War that the other may have by Sea or Land with any other Country, may be to the prejudice of

Passports and Certificates to be given to Ships.

Treaty of Commerce with Denmark.

of the other Allie, and that Goods and Merchandise belonging to the Enemy may be fraudulently concealed under colour of being in Amity ; For the preventing of Fraud, and clearing all Suspicion, it is thought fit, That the Ships, Goods and Men belonging to the other Confederate in their Passage and Voyages , be accompanied with Letters of Pasport and Certificate ; The Forms whereof to be as follows ;

CHARLES the Second, by the Grace of God, King
of Great Britain, &c.

CHRISTIAN the Fifth; by the Grace of God,
King of Denmark and Norway, &c.

Form of the Pass.

BE it known unto all and singular to whom these Our Letters of Safe-conduct shall be shewn, That Our Subject and
Citizen of Our City of hath
humbly represented unto Us, that the Ship called
of the Burthen of Tuns,
doth belong unto them and others our Subjects, and
that they are sole Owners and Proprietors thereof,
and is now Laden with the Goods which are con-
tained in a Schedule which she hath with her from
the Officers of Our Customs, and do solely, truly
and really belong to Our Subjects or others in Neu-
trality, bound immediately from the Port of
to such other Place or Places, where she
may conveniently Trade with the said Goods, be-
ing not Prohibited, nor belonging to either of the
Parties in Hostility, or else find a Freight ; Which
the foresaid Our Subject having
Attested by a Writing under his Hand, and At-
firmed

firm'd to be true by Oath, under Penalty of Confiscation of the said Goods, We have thought fit to grant him these Our Letters of Safe-conduct: And therefore We do hereby respectively pray and desire all Governors of Countries and Seas, Kings, Princes, Commonwealths, and free Cities, and more especially the Parties now in War, and their Commanders, Admirals, Generals, Officers, Governors of Ports, Commanders of Ships, Captains, Freighters, and all others whatsoever having any Jurisdiction by Sea, or the Custody of any Port, whom the Ship aforesaid shall chance to meet, or among whose Fleet or Ships it shall happen to fall or make stay in their Ports that by virtue of the League and Amity, which We have with any King or State, they suffer the said Master with the Ship,

Persons,

Things, and all Merchandise on Board her, not only freely and without any Molestation, Detention, or Impediment, to any Place whatsoever to pursue his Voyage, but also to afford him all Offices of Civility, as to Our Subject, if there shall be occasion; Which upon the like or other occasion We and Ours shall be ready to return.

*Given the
Year*

day of

in the

WE the President, Consuls and Senators of Form of the Certificate.
the City of

do Attest and Certifie, That on the
day of in the Year

Personally before Us came and appeared

Citizen and Inhabitant of the City or

Town of and under the Oath

wherein he stands bound to our Sovereign Lord the

King,

Treaty of Commerce with Denmark.

King, did declare unto Us, That the Ship or Vessel called _____ of the Burthen of _____ Tuns doth belong to the Port, City or Town of _____ in the Province of _____

And that the said Ship doth justly belong only to him and others, Subjects of Our said Sovereign Lord, and now bound directly from the Port of _____ Laden with Goods mentioned in a Schedule received from the Officers of the Customs, and that he hath affirmed under the Oath aforesaid, that the forementioned Vessel with her Goods and Merchandise doth only belong to Subjects of his Majesty, and doth carry no Goods prohibited, which belong to either of the Parties now in War.

In Testimony whereof We have caused this Certificate to be Subscribed by the Syndic of Our City, and Sealed with Our Seal.

Given, &c.

When therefore the Merchandise, Goods, Ships, or Men of either of the Confederates and their Subjects and People, shall meet in open Sea, Straights, Ports, Havens, Lands and Places whatsoever, the Ships of War, whether publick or private, or the Men, Subjects and People of the other Confederate; Upon exhibiting only the foresaid Letters of Safe-Conduct and Certificate, there shall be nothing more required of them, nor shall Search be made after the Goods, Ships or Men, nor shall they be any other ways whatsoever molested or troubled; but suffered with all freedom to pursue their intended Voyage; But if this solemn and set Form of
 Passport

*Ships not to
be Searched
upon produ-
cing their
Certificates.*

Passport and Certificate be not exhibited, or that there be any other just and urgent cause of suspicion ; Then shall the Ship be Searched, which is nevertheless in this case only understood to be permitted, and not otherwise. If by either Party any thing shall be committed contrary to the true meaning of this Article, against either of the Confederates, each of the said Confederates shall cause his Subjects and People offending to be severely punished, and full and entire Satisfaction to be forthwith given, and without delay, to the Party injured and his Subjects and People for their whole Loss and Expences.

XXI.

It is also Concluded and Agreed, That all Ships of Subjects and People of the King of *Great Britain*, together with their Lading and Merchandise, passing by the Port of *Gluckstad*, or other Places and Towns under the Dominion of the King of *Denmark*, situate upon the *Elbe* Stream, both going and returning, shall be free and exempt from all Custom, Impost, Search, Seizure and Molestation, except only the case of Search in the time of War, when the King of *Denmark* hath War with any other King or State.

English Ships passing by *Gluckstad* and other Places upon the *Elbe*, to be free from all Customs and Search.

XXII.

If the Subjects of either Prince be hurt or injured in the Territories of the other ; Then the King of that place where the Injury is done, shall take care that speedy Justice be administered according to the Laws and Customs of the Country ; And that the Persons guilty be duly punished, with Satisfaction to be made to the Party wronged.

Any Injury done to either Parties Subjects in the others Territories, to be punished according to the Laws of the Country.

T

XXIII. It

XXIII.

No Ships, or Goods Laden on Ships belonging to either Party, to be adjudged Prize, but by due form of Law.

It is also Agreed, That no Ships whatsoever, Vessels, or Merchandise Laden on Ships of whatsoever nature, kind or quality, howsoever taken, belonging to any the Subjects of either of the aforesaid Kings, under any colour or pretence whatsoever, be adjudged Prize, unless by a Judicial Examination and Process in form of Law, in a Court of Admiralty for Prizes taken at Sea in that behalf lawfully Constituted.

XXIV.

Justice to be Administred according to the Laws of each Country respectively.

Both Parties shall cause Justice and Equity to be Administred to the Subjects and People of each other, according to the Laws and Statutes of either Country, speedily, and without long and unnecessary Formalities of Law and Expences, in all Causes and Controversies, as well now depending, as which may hereafter arise.

XXV.

In case of Shipwrack, the Goods to be preserved for the Owners.

If the Ships of either of the Confederates, and their Subjects and People, whether they be Merchant-Men, or Men of War, shall happen to run on Ground, or fall upon Rocks, or be forced to lighten themselves, or shall otherwise suffer Shipwrack (which God forbid) upon the Coasts of either King, the foresaid Ships with their Tackle, Goods and Merchandise, or whatsoever shall be remaining of them, shall be restored to their Owners and Proprietors; Provided they or their Agents and Proctors do claim the said Ships and Goods within the space of a year and a day after such Shipwrack suffered, saving always the Rights and Customs of both

both Nations. The Subjects also and Inhabitants dwelling upon the said Coasts and Shores, shall be obliged to come in to their help in case of danger, and as much as in them lies to give their assistance; And shall do their utmost endeavour either for the freeing of the Ship, or saving the Goods, Merchandise and Apparel of the said Ship, and what else of the same they shall be able, and for the conveying the same into some safe place in order to be restored to the Owners; they paying Salvage, and giving such Recompence to the persons by whose assistance and diligence the said Merchandise and Goods shall have been recovered and preserved, as they shall deserve. And finally both Parties, in case of such misfortune, shall see observed on their Side, what they would desire to have observed and done on the other Side.

XXVI.

The Commanders of Ships, or Governors, Soldiers, Mariners and Company belonging to the same; As also the Ships themselves, and the Goods and Merchandise on Board them, shall not be detained by any Arrest or Seizure upon any Warrant either General or Special, or for any cause, unless for the defence and preservation of the Kingdom; Which yet shall not be understood to be meant of Arrests layed by Authority of Law, for Debt contracted upon any other lawful occasion whatsoever, in which case it shall be lawful to proceed according to the Rules of Justice and Law.

Ships, Commanders of Ships, Goods, &c. not to be Arrested but for the defence of the Kingdom, and except in cases of Debt.

XXVII.

It shall be free for the Merchants of both Kingdoms, their Factors and Servants, and also the Ma-

Merchants,
Mariners, &c.
to have the
liberty of
wearing or
carrying
Arms.

sters and Mariners of Ships upon the Sea, and in other Waters, as likewise in the Ports, and upon the Coasts and Lands of either Confederate, going, returning and walking, for the defence of their Persons and Goods, to carry any kind of portable Arms, as well offensive as defensive, so that they give no just cause of suspicion to the Commanders and Magistrates of any Place, of any Plots or Contrivances against the publick or private Peace.

XXVIII.

Benefit of each
others Con-
voys.

The Convoys or Ships of War of either Party, meeting in their Voyage, or overtaking any Merchants Ships, or others belonging to the other Confederate or his Subjects, and making the same Course at Sea, in *Europe* or out of *Europe*, shall be obliged to guard and defend them as long as they shall hold the same Course together.

XXIX.

Pirates not to
be protected.

For the greater security of Commerce and freedom of Navigation, it is Concluded and Agreed, That neither Part, as much as may be, and shall lie in their powers, shall permit that publick Pirates or other Robbers upon the Sea, in any the Ports of the other Kingdom or Country, have their Receptacles or Retreats, or shall suffer that any of the Inhabitants, or People of either Prince, do receive them into their Houses, or supply them with Provisions or be otherwise assisting to them; But on the contrary, shall endeavour that the said Pirates or Robbers, and their Partisans and Accomplices, be apprehended and punished according to their demerit, and the Ships and Goods, as much as can be found of them, restored to the lawful Owners or their Agents,

Agents, provided their Right be made appear by due proof of Law in the Court of Admiralty.

XXX.

It is Concluded and Agreed, That there shall be at all times free access for the Subjects and People of either Party, to the Ports and Coasts of both Princes, and it shall be lawful for them to remain therein, and from thence again to depart, and also to pass through the Seas and Territories whatsoever of either King respectively (Not committing any Waste or Injury) not only with Merchant-Ships, and Ships of Burthen, but also with Ships of War, whether the same be upon the Publick Account, or Acting by private Commissions; whether they enter by reason of Tempest, and for avoiding the danger of the Sea, or to Refit or buy Provisions: So that they exceed not the number of six Ships of War, if they enter of their own accord, nor shall they remain longer in or about the Ports then shall be necessary for the Refitting of their Ships, buying Provisions or other Necessaries: And if they should upon occasion desire to come into the said Ports with a greater number of Ships of War, it shall in no wise be lawful for them to enter thereinto without first giving timely notice by Letter of their coming, and obtaining leave of those to whom the foresaid Ports belong. But if by force of Tempest or other urgent Necessity, they shall be compelled to put into Harbour, in such case, without any precedent notice, the Ships shall not be restrained to a certain number; but with this Condition nevertheless, That their Admiral or Commander in chief presently after his Arrival, shall make acquainted the chief Magistrate or Commander of the Place, Haven

Freedom of
access to each
others Ports.

But Men of
War not to
exceed six in
number, ex-
cept forced in,
and then to
give notice to
the Magistrate.

Haven or Coast whether they are come, with the cause of his coming ; Nor shall he stay longer there then shall be permitted him by the chief Magistrate or Commander, and shall not act or attempt any Hostility in the Ports whereinto he hath betaken himself, or any thing prejudicial to him of the two Confederates to whom they shall belong.

XXXI.

Neithers Subjects to take Letters of Mart from any Prince or State in War with the other.

It shall not be lawful for the Subjects of either King, or the Inhabitants of the Kingdoms or Lands under their Obedience, to procure of any Prince or State who is at Difference, or in open War with either of the Confederates, Letters Patents, called Commissions or Reprisals, much less by virtue of such Letters to molest or damnifie the Subjects of either. Both the said Kings shall strictly prohibit their Subjects respectively, that they do not procure or accept from other Princes or States any such Commissions ; But shall, as much as in them lies, forbid and hinder the committing of any Depredations by virtue of such Commissions.

XXXII.

Ships taken in Port by a third Party, to be restored.

If any Ship or Ships belonging to the Subjects of either King be taken in the Ports of either by a third Party, they in whose Port, or within whose Jurisdiction whatsoever the foresaid Ships shall be taken, shall be mutually obliged to use their endeavour together with the other Party, for the finding and retaking the said Ship or Ships, and restoring them to the Owners ; Which nevertheless shall be done at the Charge of the said Owners, or the Parties interested.

XXXIII. But

XXXIII.

But if also in the Ships taken by the Subjects of either Confederate, and brought into any Port belonging to the other, there be found any Seamen or other persons who are Subjects of that Confederate into whose Ports or Rivers the Prize shall be brought, they shall be civilly used by those who have taken them, and restored to their liberty forthwith, and without Ransom.

Seamen taken on Board any Prize, and being Subjects of either Crown, to be set free.

XXXIV.

But if a Ship of War or any other, Laden with prohibited Goods belonging to the other Crown, happen to be taken ; It shall not be lawful for the Captains or Commanders who have taken her, to open or break up any Chests, Tons or Bails on Board the said Ship, nor likewise to Transport, or otherwise alienate any of her Merchandise, until they have been first put on Shore, and an Inventory thereof made before the Judges of the Admiralty.

A Ship Laden with prohibited Goods, if taken, no Bulk to be broken till an Inventory made in the Admiralty.

XXXV.

And for the greater security of the Subjects of both Kings, and for preventing of all violence towards them from the said Ships of War ; All Commanders of any the Ships of War belonging to the King of *Great Britain*, and all other his Subjects whatsoever, shall be strictly charged and required, that they do not molest or injure the Subjects of the King of *Denmark* ; If they shall do otherwise, they shall be liable to answer it in their Persons and Estates, and shall therein stand bound until just Satisfaction and Compensation shall be made for the Wrongs by them done, and the Damage thereby sustained:

No Injury to be done by any Men of War to the other, in case of any, the Causes to be Tried in the Admiralty Courts, or by Commissioners to be appointed by the Kings.

sustained or to be sustained : In like manner shall all Commanders of the Ships of War belonging to the King of *Denmark*, and all other his Subjects whatsoever, be straitly under the same Penalties charged and required that they do not molest or injure the said Subjects of the King of *Great Britain* ; Provided nevertheless, that all the foresaid Actions be Examined and Adjudged by due and legal proceeding in the Court of Admiralty of both Kings ; Or if it shall rather seem meet to either of the Parties, being a Stranger in the Place where the Controversie is to be Decided, they shall be Examined before certain Commissioners, which both Kings so soon as they shall be desired, shall appoint to that end, that so Proceedings by this means may be not only carried on without great Expences, but also ended within Three months at farthest.

XXXVI.

Sentence concerning Prizes to be given according to Justice.

Both Kings shall take care, That Judgment and Sentence in things taken at Sea, be given according to the Rules of Justice and Equity by Persons not suspected or interested, and being once given by such Judges as aforesaid, they shall straitly charge and require their Officers and whom it shall concern, to see the same put in due Execution according to the form and tenor thereof.

XXXVII.

Upon complaint of any Sentence, a Review to be made.

If the Ambassadors of either King, or any other Publick Ministers residing with the other King, shall happen to make complaint of any such Sentence, that King to whom complaint shall be made, shall cause the said Judgment and Sentence to be Reheard and Examined in his Council ; That it may appear

appear whether all things requisite and necessary have been performed according to the Rules of this Treaty, and with due caution : If the contrary shall happen, it shall be redressed, which is to be done at the farthest within Three months time.

Neither shall it be lawful either before the giving of the first Sentence, or afterwards during the time of Re-hearing, to unlade or sell and make away the Goods in Controversie, unless it happen to be done by consent of Parties, and to prevent the perishing of the said Goods and Merchandise.

No Goods to be sold before Sentence, but by consent, or to prevent perishing.

XXXVIII.

The said Kings shall have in each others Court their Ministers, and in certain Ports their Consuls, for the better and more easie communicating and proposing such things as they shall think advantageous to the publick Interest, or private Concerns of any particular person.

Consuls to be appointed.

XXXIX.

No private Injury shall in any wise letten this Treaty, nor shall raise any Discord or Hatred between the foresaid Nations, but every Man shall answer for his own Doings, and shall be responsible therefore ; Nor shall one Man suffer for that which another has offended in, by having recourse to Reprials, or such like rigorous Proceedings, unless Justice be denied or delayed longer then is fitting. In which case it shall be lawful for that King, whose Subject has received the Injury, to proceed according to the Rules and Prescriptions of the Law of Nations until Reparation be made to the Party injured ; Provided notwithstanding that he have first in due manner advertised the other King thereof.

No private Injury to break this Treaty ;

Nor Reprials to be granted, but upon denial or delay of Justice.

XL.

English to enjoy all Priviledges enjoyed by any Strangers in *Denmark*, the *Swedes* only excepted.

Also it is Agreed, That if the *Hollander*, or any other Nation whatsoever (the *Swedish* Nation only excepted) hath already, or shall hereafter obtain any better Articles, Agreements, Exemptions or Priviledges then what are contained in this Treaty from the King of *Denmark*, that the same and like Priviledges shall be likewise granted to the King of *Great Britain* and his Subjects, effectually and fully to all intents and purposes ; And on the other side, if the *Hollander* or any other Nation whatsoever, hath or shall obtain from his Majesty of *Great Britain*, any better Articles, Agreements, Exemptions or Priviledges then what are contained in this Treaty, that the same and like Priviledges shall be granted to the King of *Denmark* and his Subjects also, in most full and effectual manner.

XLI.

Former Treaties not contrary to this, Confirmed.

It is also Concluded, That former Treaties and Leagues at any time heretofore made between the foresaid Confederates or their Predecessors Kings, as well for the Kingdoms of *Great Britain*, &c. as for the Hereditary Kingdoms of *Denmark* and *Norway*, &c. respectively, be not in the least reputed or taken to be broken and Abolished by any Agreement, Covenants or Articles in the present Treaty contained ; But that the same remain in full force, effect and virtue, so far as they are not contrary or repugnant to the present Treaty, or any Article therein contained.

XLII.

Finally, it is Covenanted, Concluded and Agreed,

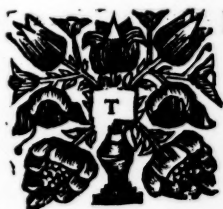
greed, That the foresaid Kings shall sincerely and *bona fide* observe all and singular the Articles contained and set down in this Treaty, and shall cause them to be observed by their Subjects and People; Nor shall transgress the same directly or indirectly, or suffer the same to be transgressed by their Subjects or People, and shall Ratifie and Confirm all and singular the Premises as before Agreed, by Letters Patents Subscribed with their Hands, and Sealed with their Great Seals in good sufficient and effectual Form, and shall deliver the same reciprocally within Three months after the Date of these Presents, or cause them to be delivered, in good faith and reality, and with effect.

Ratifications
to be Exchan-
ged within
Three months.

Given at Copenhagen the 12th day of July, 1670.

Articles of Peace between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, &c. and the Most Excellent Signors, Mahomet Bashaw, the Duan of the Noble City of Tunis, Hagge Mustapha Dei, Morat Bei, and the rest of the Souldiers in the Kingdom of Tunis, Concluded by Sir John Lawfon Knight, the Fifth of October 1662. Renewed and Confirmed the Fourth of February 167^t.

Artic. I.



That all former Agrievances and Losses, and other Pretences between both Parties, shall be void and of none effect, and from henceforward a firm Peace for ever, free Trade and Commerce shall be and continue between

An Amnesty
and Freedom
of Trade.

the Subjects of his Sacred Majesty the King of Great Britain, &c. and the People of the Kingdom of Tunis, and the Dominions thereunto belonging.

II.

That the Ships on either Part shall have free liberty to enter into any Port or River belonging to the Dominions of either Party, (paying Duties only for what they shall sell) Transporting the rest without any trouble or molestation, and freely enjoy any other Priviledges, accustomed: And the late Exaction that hath been upon the Lading and Unlading

Freedom of
Ports.

To pay no
Duties but
for what is
vented.

Exaction at
Goletta to be
reduced as
heretofore.

Unlading of Goods at *Goletta* and the *Marine*, shall be reduced to the ancient Customs in those Cases.

III.

Ships to pass
quietly.

That there shall be no Seizure of any Ships of either Party at Sea or in Port, but that they shall quietly pass without any molestation or interruption, they displaying their Colours. And for prevention of all Inconveniences that may happen, the Ships of *Tunis* are to have a Certificate under the Hand of the *English* Consul there, that they belong to the Place; which being produced, the *English* Ship shall admit two Men to come on Board them peaceably, to satisfy themselves that they are *English*; and although they have Passengers of other Nations on Board, they shall be Free, both them and their Goods.

Passengers and
Goods of o-
ther Nations
on Board *English*
Ships, to
be free.

IV.

English Ships
to defend
Goods or Pas-
sengers be-
longing to *Tu-
nis* on Board
them.

That if any *English* Ship shall receive on Board them any Goods or Passengers belonging to the Kingdom of *Tunis*, they shall be bound to defend them and their Goods, so far as lieth in their power, and not deliver them unto the Enemy.

V.

Goods of Ships
cast away, and
Persons, to be
free, and sa-
ved.

That if any of the Ships of either Party shall by accident of foul Weather, or otherwise, be cast away upon the Coast belonging to either Party, the Persons shall be free, and the Goods saved, and delivered to the Proprietors thereof.

VI.

English Inha-
biting at *Tunis*
may have li-

That the *English* that do at present, or shall at any time hereafter, inhabit in the City or Kingdom of *Tunis*,

Tunis, shall have free liberty when they please, to Transport themselves with their Families and Children, although born in the Country.

berry to leave the Place.

VII.

That the People belonging to the Dominions of either Party, shall not be abused with ill Language, or otherwise ill treated, but that the Parties so offending shall be punished severely according to their desert.

Those that abuse the Subjects of either Party, to be punished.

VIII.

That the Consul, or any other of the *English* Nation Residing in *Tunis*, shall not be forced to make his Addresses in any Difference unto the Court of Justice, but unto the *Dey* himself, from whom only they shall receive Judgment.

English not obliged to Address to any for Justice, but the *Dey*.

IX.

That the Consul, or any other of the *English* Nation, shall not be liable to pay the Debts of any particular persons of the Nation, unless obliged thereunto under his Hand.

No *English* obliged to pay the Debts of another.

X.

That all the Ships of War belonging unto the Dominions of either Party, shall have free liberty to use each others Ports for Washing, Cleansing and Repairing any their Defects, and to buy and to Ship off any sort of Victuals alive or dead, or any other Necessaries, at the Price the Natives buy it in the Market, without paying Custom to any Officer.

Freedom of Ports for Repairing, &c.

And to buy Victuals and Necessaries without paying Custom.

XI.

That in case any Ships of War belonging to the Dominions of *Tunis*, shall take in any of their Enemies

English taken on Board Foreign Ships, if

Passengers, to be free, if Mariners, to be Slaves.

mies Ships any *Englishman* Serving for Wages, they are to be made Slaves, but if Merchants or Passengers, they are to enjoy their Liberty and Goods free and entire.

XII.

English Ship not wearing *English* Colours, if taken, to be Prize.

That if any Ship of War belonging to the Kingdom of *Tunis*, Fighting under his own Colours, with any Ship not wearing *English* Colours, and shall surprize under the same the said *English* Ship, shall be Prize, notwithstanding the Peace.

XIII.

A Slave getting on Board any *English* Ship, the Consul not liable to pay his Ransom, unless upon notice given.

That in case any Slave in the Kingdom of *Tunis*, of any Nation whatsoever, shall make his escape and get on Board any Ship belonging to the Dominions of his Sacred Majesty the King of *Great Britain, &c.* the Consul shall not be liable to pay his Ransom, unless timely notice be given him, to order that none such be Entertained; and then if it appear that any Slave hath so got away, the said Consul is to pay to his Patron the Price for which he was sold in the Market; and if no Price be set, then to pay Three hundred Dollars and no more.

This Treaty to be perpetual, and in Particulars not mentioned here, the Capitulations with the Grand Signor to be observed.

These Articles aforementioned are to remain firm for ever, without any Alteration; and in all other Particulars not mentioned in these Articles, the Regulation shall be according to the Capitulations General with the Grand Signior. Signed and Sealed in the presence of the Great God. * -

(L. S.) (L. S.) (L. S.) (L. S.)

Whereas

WHereas there were Articles of Peace between his Sacred Majesty the King of Great Britain, &c. and the Most Excellent Signiors, Mahomet Bassa, the Duana of the Noble City of Tunis, Hagge Mustapha Dey, Morat Bey, and the rest of the Souldiers in the Kingdom of Tunis, Made and Concluded by the said Most Excellent Signiors on the one Part, and by Sir John Lawson Knight, on the other Part, the Fifth day of October 1662.

WE the Most Excellent Signiors, present Governors of the Noble City and Kingdom of Tunis, Mustapha Bassa, Hagge Mami Dei, the Duana, Morat Bei, Mahomet Hoffe Bei, and the rest of the Souldiers in the Kingdom of Tunis, have Seen, Perused and Approved the said Articles, and do now by these Presents Accept, Approve, Ratifie and Confirm all and every the afore-mentioned Articles of Peace, in the same Manner and Form as they are Inserted and Repeated in the said Articles, the which are hereunto adjoyning, hereby firmly promising on Our Faiths, Sacredly to maintain the said Peace and Agreement Our Selves, and do cause all Our People of what Degree or Quality soever, punctually and inviolably to observe and keep all and every the Articles thereof for ever; And if any of Our said People shall at any time violate and break any part of the said Articles, they shall be punished with greatest

The Treaty in 1662, Renewed.

Treaty of Peace with Tunis.

Severity at their Return into the Dominions of
Tunis.

*Confirmed and Sealed in the Presence of Almighty
God, in Our House in the Noble City of Tunis,
the last Day of the Moon Delcadi, and the Year
of Hegira 1085, being the Fourth Day of
February Old Style, and the Year of the Lord
Jesus Christ 1675.*

(L.S.) (L.S.) (L.S.) (L.S.) (L.S.)

Divan. Housse Bey. Morat Bey. Bafhaw. Dey.

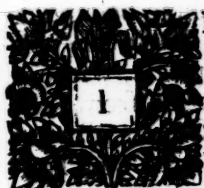
(L.S.)

Hamitt Bey.

Articles

Articles of Peace and Commerce between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God King of Great Britain, France and Ireland, Defender of the Christian Faith, &c. and the Most Illustrious Lords, the Bashaw, Dey, Aga, Divan, and Governors of the City and Kingdom of Tripoli; Concluded by Sir John Narbrough Knight, Admiral of his Majesties Fleet in the Mediterranean Seas, the First day of May 1676.

Article I.



IN the first place, it is Agreed and Concluded, That from this day and for ever forward, there be a true, firm, and inviolable Peace between the Most Serene King of Great Britain, France and Ireland, Defender of the Christian Faith, &c. and the Most Illustrious Lords the *Bashaw, Dey, Aga, Divan*, and Governors of the City and Kingdom of *Tripoli in Barbary*, and between all the Dominions and Subjects of either Side, and that the Ships or other Vessels, and the Subjects and People of both Sides shall not henceforth do to each other any Harm, Offence or Injury either in Word or Deed, but shall Treat one another with all possible Respect and Friendship.

A perpetual Peace.

II.

That any of the Ships or other Vessels belonging to the said King of Great Britain, or to any of his Majesties Subjects, may safely come to the Port of

English Ships
to come freely
to *Tripoli*.

To pay Customs only for the Goods they sell.

Tripoli, or to any other Port or Place of that Kingdom, or Dominions thereunto belonging, freely to Buy and Sell without the least Disturbance, paying the usual Customs as in former Times hath been paid for such Goods as they Sell : and for the Goods they Sell not, they shall have free liberty to carry on Board their own Ships, without paying any Duties for the same, and when they please they shall freely depart from thence without any Stop, Hindrance or Molestation whatsoever.

III.

All Persons and Goods belonging to the Subjects of other Nations on Board the Ships of either Party, to be free.

That all Ships and other Vessels, as well those belonging to the said King of *Great Britain*, or to any of his Majesties Subjects ; As also those belonging to the Kingdom or People of *Tripoli*, shall freely pass the Seas, and Traffick where they please, without any Search, Hindrance or Molestation from each other ; and that all Persons or Passengers of what Country soever, and all Moneys, Goods, Merchandises, and Moveables, to whatsoever People or Nation belonging, being on Board of any the said Ships or Vessels, shall be wholly free, and shall not be Stopped, Taken or Plundered, nor receive any Harm or Damage whatsoever from either Party.

IV.

How Ships shall be Visited at Sea.

That the *Tripoli* Ships of War, or other Vessels thereunto belonging, meeting with any Merchants Ships or other Vessels of the King of *Great Britain's* Subjects, not being in any of the Seas appertaining to his Majesties Dominions, may send on Board one single Boat with but two Sitters, besides the ordinary Crew of Rowers : and no more but the two Sitters to enter any of the said Merchants Ships, or any

any other Vessels, without the expresse leave from the Commander of every such Ship or Vessel; and then upon producing unto them a Pass under the Hand and Seal of the Lord High Admiral of *England*, the said Boat shall presently depart, and the Merchants Ship or Ships, Vessel or Vessels, shall proceed freely on her or their Voyage. And although the Commander or Commanders of the said Merchant Ship or Ships, Vessel or Vessels, produce no Pass from the Lord High Admiral of *England*, yet if the major part of the said Ships or Vessels Company be Subjects to the said King of *Great Britain*, the said Boat shall presently depart, and the Merchant Ship or Ships, Vessel or Vessels, shall proceed freely on her or their Voyage; And if any of the said Ships of War or other Vessels of his said Majesty, meeting with any Ship or Ships, Vessel or Vessels belonging to *Tripoli*, if the Commander or Commanders of any such Ship or Ships, Vessel or Vessels, shall produce a Pass firm'd by the chief Governors of *Tripoli*, and a Certificate from the *English* Consul living there, or if they have no such Pass or Certificate, yet if the major part of their Ships Company or Companies be *Turks*, *Moors*, or *Slaves* belonging to *Tripoli*, then the said *Tripoli* Ship or Ships, Vessel or Vessels shall proceed freely.

V.

That no Commander or other Person of any Ship or Vessel of *Tripoli* shall take out of any Ship or Vessel of his said Majesties Subjects, any Person or Persons whatsoever, to carry them any where to be Examined, or upon any other Pretence, nor shall use any Torture or Violence unto any person of what Nation or Quality soever, being on Board
any

No person
whatsoever to
be taken out
of any *English*
Ship.

any Ship or Vessel of his Majesties Subjects, upon any pretence whatsoever.

VI.

Goods of a Ship cast away, to be saved.

The Men not to be made Slaves.

That no Shipwrack belonging to the said King of *Great Britain*, or to any of his Majesties Subjects, upon any part of the Coast belonging to *Tripoli*, shall be made or become Prize; and that neither the Goods thereof shall be Seised, nor the Men made Slaves, but that all the Subjects of *Tripoli* shall do their best Endeavours to save the said Men and their Goods.

VII.

No *Tripoli* Ship shall be used against the *English*.

That no Ship or any other Vessel of *Tripoli* shall have permission to be delivered up, or to go to any other Place in Enmity with the said King of *Great Britain*, to be made use of as *Corfsairs* or Sea-Rovers against his said Majesties Subjects.

VIII.

No *Tripoli* Ship to Cruise near *Tangier*, or disturb the Commerce of it.

That none of the Ships or other smaller Vessels of *Tripoli* shall remain Cruising near his Majesties City and Garrison of *Tangier*, or in sight of it, nor other way disturb the Peace and Commerce of that Place.

IX.

No *English* Ship brought in as Prize, or Men or Goods to be sold at *Tripoli*.

That if any Ship or Vessel of *Tunis*, *Algier*, *Tittuan*, or *Sally*, or any other Place being in War with the said King of *Great Britain*, bring any Ships, Vessels, Men or Goods belonging to any of his said Majesties Subjects to *Tripoli*, or to any Port or Place in that Kingdom, the Governors there shall not permit them to be sold within the Territories of *Tripoli*.

X. That

X.

That if any of the Ships of War of the said King of Great Britain do come to Tripoli, or to any other Port or Place of that Kingdom, with any Prize, they may freely sell it, or otherwise dispose of it at their own pleasure, without being molested by any ; And that his Majesties said Ships of War shall not be obliged to pay Customs in any sort ; And that if they shall want Provisions, Victuals, or any other things, they may freely buy them at the Rates in the Market.

English Men of War may dispose of their Prizes at Tripoli.

Not to pay Custom.

May buy Provisions, &c.

XI.

That when any of his Majesties Ships of War shall appear before Tripoli, upon notice thereof given to the English Consul, or by the Commander of the said Ships, to the chief Governors of Tripoli, publick Proclamation shall be immediately made to secure the Christian Captives ; and if after that any Christians whatsoever make their escape on Board any of the said Ships of War, they shall not be required back again, nor shall the said Consul or Commander, or any other his said Majesties Subjects, be obliged to pay any thing for the said Christians.

English Men of War coming to Tripoli, all Slaves to be secured, and if they escape then, not to be required back again, nor any English obliged to pay for them.

XII.

That if any Subjects of the said King of Great Britain happen to die in Tripoli, or its Territories, his Goods or Money shall not be Seised by the Governors or any Minister of Tripoli, but shall all remain with the English Consul.

Estate of English dying there, not to be seised.

XIII.

That neither the English Consul, nor any other Subject of the said King of Great Britain, shall be bound

No one Englishman obliged to pay the

Debts of another.

bound to pay the Debts of any other of his Majesties Subjects ; except that they become Surety for the same by a publick Act.

XIV.

Differences of the *English*, where to be Determined.

That the Subjects of his said Majesty in *Tripoli* or its Territories, in matter of Controversie, shall be liable to no other Jurisdiction but that of the *Dey* or *Divan*, except they happen to be at Difference between themselves ; in which case they shall be liable to no other Determination but that of the Consul only.

XV.

English, how to be punished for hurting a *Turk* or *Moor*.

That in case any Subject of his Majesty, being in any part of the Kingdom of *Tripoli*, happen to strike, wound or kill a *Turk* or a *Moor*, if he be taken, he is to be punished in the same manner, and with no greater severity then a *Turk* ought to be, being guilty of the same Offence ; but if he escape, neither the said *English* Consul, nor any other of his said Majesties Subjects, shall be in any sort questioned or troubled therefore.

The Consul not answerable.

XVI.

English Consul to have all liberty ;

And a Place to Pray in.

That the *English* Consul now, or at any time hereafter living in *Tripoli*, shall be there at all times with entire freedom and safety of his Person and Estate, and shall be permitted to chuse his own Druggerman and Broker, and freely to go on Board any Ship in the Road, as often and when he pleases, and to have the liberty of the Country ; And that he shall be allowed a Place to Pray in, and that no man shall do him any Injury in Word or Deed.

XVII. That

XVII.

That not only during the continuance of this Peace and Friendship, but likewise if any Breach or War happen to be hereafter between the said King of *Great Britain* and the City and Kingdom of *Tripoli*, the said Consul, and all other his said Majesties Subjects Inhabiting in the Kingdom of *Tripoli*, shall always, and at all times both of Peace and War, have full and absolute liberty to depart, and go to their own or any other Country, upon any Ship or Vessel of what Nation soever they shall think fit, and to carry with them all their Estates, Goods, Families and Servants, although born in the Country, without any interruption or hindrance.

The *English* to have free liberty to depart with their Estates as well in Peace, as in case of a Breach.

XVIII.

That no Subject of his said Majesty, being a Passenger from or to any Port, shall be any way molested or medled with, although he be on Board any Ship or Vessel in Enmity with *Tripoli*.

English Passenger from Port to Port found on Board an Enemies Vessel, not to be molested.

XIX.

That whereas a War hath lately happened between the Most Serene King of *Great Britain*, &c. and the Most Illustrious Lords, *Halil Bashaw*, *Ibrahim Dey*, *Aga*, *Divan*, and Governors of the Noble City and Kingdom of *Tripoli* in *Barbary*, by reason of the Injuries done unto the King of *Great Britain* and his Subjects, by the Government and People of *Tripoli*, We *Halil Bashaw*, *Ibrahim*, *Dey*, *Aga*, *Divan*, and Governors of the Noble City and Kingdom of *Tripoli* in *Barbary*, do acknowledge the Injuries done, and that the breach of the Peace between his Most Excellent Majesty the King of *Great Britain*

Renewal of the Peace.

All *English*
Captives to be
released.

8000 Dollars
to be paid to
Sir *John Nar-*
brough.

If upon de-
mand and de-
nial of satis-
faction to the
King for Inju-
ries, a War
happen, the
King is to be
paid the
Charge of
the War.

Britain and Us of *Tripoli*, was committed by Our Subjects, for which some are Banished, and some fled from our Justice; And for further satisfaction to his Most Excellent Majesty for the breach of Articles, (We are sorry for the same) and do by these Engage to set at liberty and deliver unto the Right Honorable Sir *John Narbrough* Knight, Admiral of his Majesties Fleet in the *Mediterranean* Seas, all *English* Captives residing in the City and Kingdom of *Tripoli*, and Dominions thereunto belonging, without paying any Ransom for them: And likewise by setting at liberty, and delivering unto the said Sir *John Narbrough* Knight, all other persons taken under *English* Colours, without paying any Ransom for them, and by paying Eighty thousand Dollars in Moneys, Goods and Slaves to the afore said Sir *John Narbrough* Knight. And moreover, We do Engage our selves and Successors, That if any Injury for the future be done contrary to these Articles by the Government and People of *Tripoli*, to the King of *Great Britain* and his Subjects; if upon demand of satisfaction from the Government and People of *Tripoli*, We or they do refuse or deny to give satisfaction therefore, so that a War be occasioned thereby between the King of *Great Britain* and the Government and People of *Tripoli*, We do Engage Our selves and Successors to make Restitution for the Injuries done; and likewise to make satisfaction to the King of *Great Britain* for the full Charge and Damage of that War.

XX.

No *English* to
be forced to
turn *Turk*.

That no Subject of the King of *Great Britain*, &c. shall be permitted to turn *Turk* or *Moor* in the City and Kingdom of *Tripoli* (being induced thereunto by

by any surprisal whatsoever) unless he voluntarily appear before the *Dey* or Governor with the *English* Consuls Druggerman, threetimes in twenty four hours space, and every time declare his resolution to turn *Turk* or *Moor*.

XXI.

That at all times when any Ship of War of the King of *Great Britain, &c.* carrying his said Majesties Flag at the Main-Top-Mast Head, appear before the said City of *Tripoli*, and come to Anchor in the Road, that immediately after notice thereof given by his said Majesties Consul or Officer, from the Ship, unto the *Dey* and Government of *Tripoli*, they shall in Honour to his Majesty, cause a Salute of One and twenty Cannon to be Shot off from the Castle and Forts of the City; and that the said Ship shall return an Answer by Shooting off the same number of Cannon.

English Man of War carrying a Flagg at the Main Top-mast Head, to be Saluted first by the Castle.

XXII.

That presently after the Signing and Sealing of these Articles by Us *Halil* Bashaw, *Ibrahim* Dey, Aga, Divan, and Governors of the Noble City and Kingdom of *Tripoli*, all Injuries and Damages sustained on either Part, shall be quite taken away and forgotten, and this Peace shall be in full force and virtue, and continue for ever: And for all Depredations and Damages that shall be hereafter committed or done by either Side, before notice can be given of this Peace, full satisfaction shall be immediately made, and whatsoever remains in kind, shall be instantly restored.

Amnesty for all Injuries past.

Satisfaction to be made for Injuries committed before the Notification of this Peace.

XXIII.

Satisfaction to be immediately made for all Injuries, and the Peace not to be broken till Satisfaction be denied.

That whensoever it shall happen hereafter, that any thing is done or committed by the Ships or Subjects of either Side, contrary to any of these Articles, Satisfaction being demanded therefore, shall be made to the full, and without any manner of delay ; and that it shall not be lawful to break this Peace, until such Satisfaction be denied : And Our Faith shall be Our Faith, and Our Word Our Word ; and whosoever shall be the cause of breaking of this Peace, shall assuredly be punished with present Death.

Confirmed and Sealed in the Presence of Almighty God, the 5th day of March Old Stile, and the Year of our Lord Jesus Christ 1671. being the last day of the Moon Zelhedga, and the Year of the Hegira One thousand eighty six, 1086.

(L. S.) (L. S.) (L. S.) (L. S.)

Bashaw. Dey. Divan.

Confirmation
of the former
Peace.

WHereas there were Articles of Peace and Commerce between the Most Serene and Mighty Prince *Charles* the Second, by the Grace of God King of Great Britain, France and Ireland, Defender of the *Christian* Faith, &c. and the Most Illustrious Lords, *Halil* Bashaw, *Ibraim* Dey, Aga, Divan, and Governors of the Noble City and Kingdom of *Tripoli* in *Barbary*, lately Made and Concluded by the said Lords on the one part, and by Sir *John Narbrough* Knight, Admiral of his said Serene

Serene Majesties Fleet in the *Mediterranean* Seas on the other part, and by them Confirmed and Sealed in the Presence of Almighty God, the Fifth day of *March* Old Stile, and the Year of our Lord *Jesus Christ* 1675, being the last day of the Moon *Zelhedga*, and the Year of the *Hegira* One thousand eighty six, 1086. Since which time of Confirming and Sealing the aforesaid Articles of Peace and Commerce, the aforesaid Lord *Ibraim* Dey being fled away from his said Government of the City and Kingdom of *Tripoli* in *Barbary*, Now therefore We *Halil* Bashaw, Aga, Divan, Governors, Souldiers and People of the aforesaid City and Kingdom of *Tripoli*, have chosen and elected Vice-Admiral *Mustapha Grande* to be Dey of the said City and Kingdom of *Tripoli* in *Barbary*, to succeed *Ibraim* Dey in the aforesaid Government. And now We the said *Halil* Bashaw, *Mustapha* Dey, Aga, Divan, Governors, Souldiers and People of *Tripoli* aforesaid, having seen the aforesaid Articles of Peace and Commerce, which were lately Made and Concluded as aforesaid, and having seriously perused, and fully considered all Particulars therein mentioned, do fully approve of all and every of the aforesaid Article and Articles of Peace; And We and every one of us do now by these Presents Consent and Agree to and with Sir *John Narbrough* Knight aforesaid, for the Just and Exact keeping and performing all of the said Articles, and do Accept, Approve, Ratify and Confirm all and every of them, in the same manner and form as they are inserted and repeated in the preceding Articles aforesaid; Hereby firmly Engaging our Selves and Successors, assuring on our Faith, sacredly to maintain, and strictly to observe, perform and keep inviolably all and every the aforesaid

foresaid Article and Articles of Peace and Agreement for ever : And to cause and require all Our Subjects and People, of what Degree or Quality whatsoever, within the City and Kingdom of *Tripoli* in *Barbary*, or Dominions thereunto belonging, both by Sea and Land, punctually, inviolably, carefully and duly to observe, keep and perform all and every the aforesaid Article and Articles thereof for ever ; And our Faith shall be our Faith, and our Word our Word ; and whosoever shall at any time violate and break any part of the said Article or Articles of Peace, they shall assuredly be punished with greatest severity, and his or their Heads shall be immediately cut off, and forthwith be Presented unto any Officer whom the Most Serene King of *Great Britain, &c.* shall authorise to make demand thereof.

English Trading on *English* Ships, to pay One per Cent. less Custom, as others.

It is farther Agreed, That the Subjects belonging unto the Most Serene King of *Great Britain, &c.* Trading unto the Port of the City and Kingdom of *Tripoli* in *Barbary* aforesaid, or unto any Port or Place of the Dominions thereunto belonging, in any Merchants Ship or other Vessel belonging unto the said Serene Kings Subjects, shall not pay so much Custom by One per Cent. for whatsoever Goods or Merchandises they sell or buy, as other Nations do for the Custom of the like Goods or Merchandise, notwithstanding whatsoever is specified in the second Article aforesaid, to the contrary.

The Consul to have leave to put the Kings Flag on the Top of his House, and in his Boat.

And that the Most Serene King of *Great Britain's* Consul Residing in *Tripoli* aforesaid, shall have liberty at all times when he pleaseth, to put up his said Serene Majesties Flagg on the Flagg-staff on the Top of his House, and there to continue it spread as long time as he pleaseth. Likewise, the said Consul

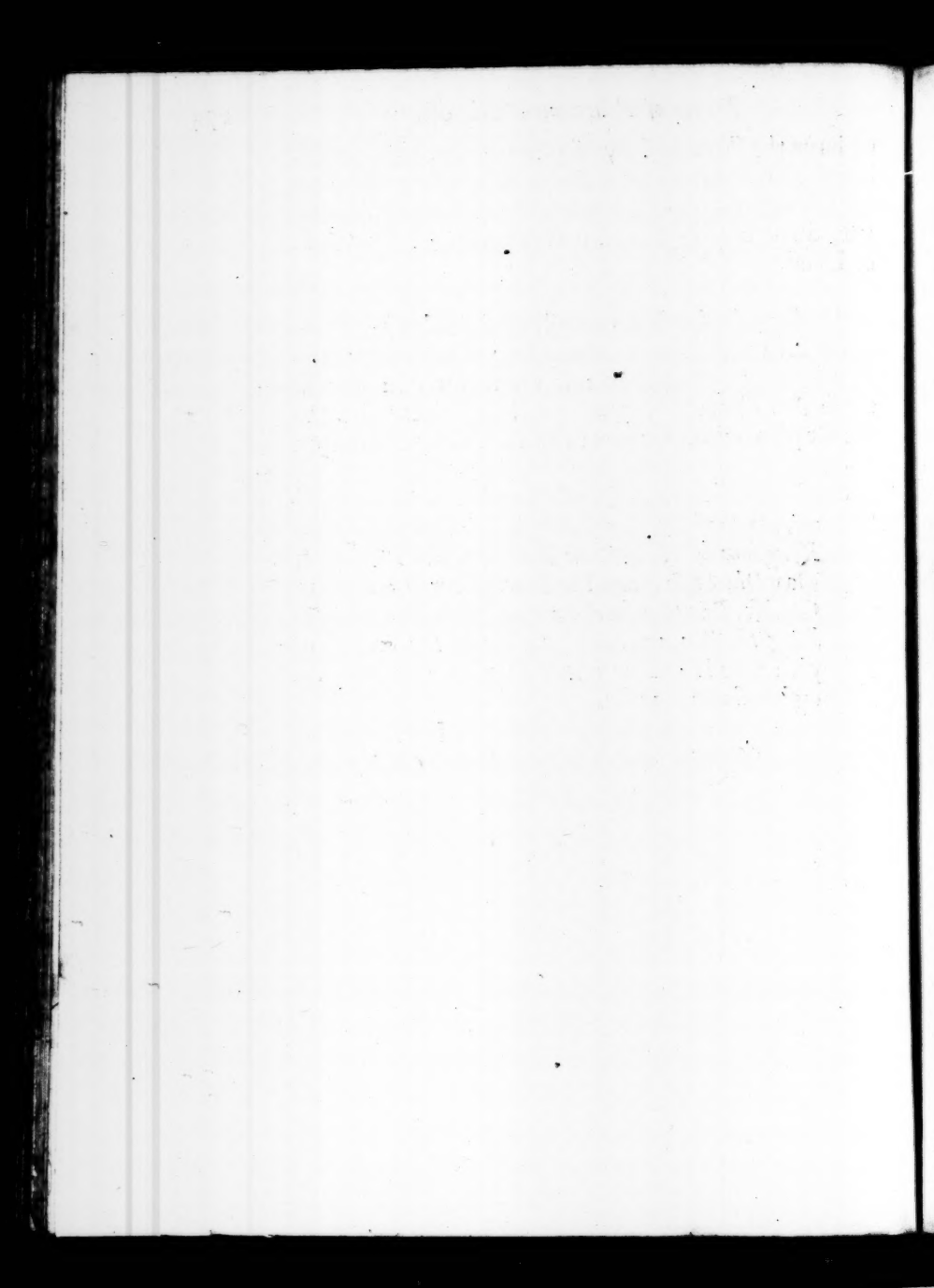
to have the same liberty of putting up, and spreading the said Flagg in his Boat, when he passeth on the Water, and no Man whatsoever to oppose, molest, disturb or injure him therein either by Word or Deed.

These and all other preceding Articles are to remain firm for ever, without any Alteration; and in all other Particulars not mentioned in any of these Articles, the Regulation shall be according to the Capitulations General with the Grand Seignior.

Particulars not mentioned here, to be according to the Capitulations with the Grand Signior.

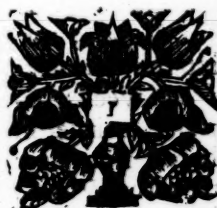
Confirmed likewise and Sealed in the Presence of Almighty God, at Our Castle in the Noble City and Kingdom of Tripoli in Barbary, the First day of May Old Stile, and the Year of our Lord Jesus Christ, One thousand six hundred and seventy six, being the Six and twentieth day of the Moon Zaphire, and the Year of the Hegira, One thousand eighty seven. 1087.

(L. S.) (L. S.) (L. S.) (L. S.)
Bashaw. Dey. Divan. Admiral.



Articles of Peace between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General of the United Netherlands; Concluded at Westminster the 29 day of February, 1672.

I.



It is Concluded and Agreed, That A firm Peace.
from this Day there shall be a
firm and inviolable Peace, Uni-
on and Friendship betwixt his
Majesty the King of Great Bri-
tain, and the High and Mighty
Lords the States General of the
United Provinces, and betwixt all their Subjects,
whether within *Europe* or without, in all Regions
and Places whatsoever.

II.

That this good Union betwixt the abovesaid
King and the said States General may the sooner
take its effect, it is by them Agreed and Concluded,
That immediately upon the Publication of this
Treaty of Peace, all Actions of Hostility shall on
both Sides be immediately forbid, and no Commis-
sion, Instruction, or Order, privately or publickly,
directly or indirectly, be on either Side given or
countenanced, for the Infesting, Attacking, Fight-
ing, or Spoiling of each other, their Dominions or
Subjects;

All Hostilities
and Letters of
Mart to cease
upon the Pub-
lication of this
Treaty.

Subjects ; but on the contrary, all peaceable and amicable Comportments enjoyed to the Subjects of both Nations.

III.

When Hostilities shall cease in the several Parts of the World.

But in respect the Distances of Places are so different, that the Orders and Commands of the respective Sovereigns cannot at the same time reach all their Subjects, it hath been thought fit to appoint these following Limits for the committing any Acts of Hostility or Force upon each other : *viz.* That after the expiration of Twelve days next following the Publication of this Treaty, no Hostility shall be acted from the *Soundings* to the *Naz* in *Norway* ; nor after the term of Six weeks, betwixt the *Soundings* and *Tangier* ; nor after the term of Ten weeks, betwixt the said *Tangier* and the *Aequator*, neither in the *Ocean*, *Mediterranean*, or elsewhere ; nor after the term of Eight months, in any part of the World : And whatsoever Actions of Hostility and Force shall be committed after the expiration of the aforesaid terms, upon colour of whatsoever former Commission, Letters of Mart, or the like, shall be deemed as Illegal, and the Actors obliged to make Reparation and Satisfaction, and punished as Violators of the Publick Peace.

IV.

Article for Striking.

That the aforesaid States General of the *United Provinces*, in due acknowledgment on their part of the King of *Great Britain's* Right to have his Flag respected in the Seas hereafter mentioned, shall and do Declare and Agree, That whatever Ships or Vessels belonging to the said *United Provinces*, whether Vessels of War or others, or whether single or in Fleet,

Fleets, shall meet in any of the Seas from *Cape Finisferre* to the Middle Point of the Land *Van Staten* in *Norway*, with any Ships or Vessels belonging to his Majesty of *Great Britain*, whether those Ships be single or in greater number, if they carry his Majesty of *Great Britain's* Flag or Jack, the aforesaid *Dutch* Vessels or Ships shall strike their Flag and lower their Top-sail in the same manner, and with as much Respect as hath at any Time, or in any Place been formerly practised towards any Ships of his Majesty of *Great Britain* or his Predecessors, by any Ships of the States General or their Predecessors.

V.

Whereas the Colony of *Surinam*, and the Articles made upon the Surrender thereof 1667, betwixt *William Biam*, then Governor thereof for his Majesty of *Great Britain*, and *Abraham Quirini* Commander for the States General, have in the Execution of them administred much occasion of Dispute, and contributed much to the late Misunderstanding betwixt his Majesty and the said States General; to remove all Grounds of future Mistakes, the said States General do by these Agree and Covenant with the said King of *Great Britain*, That not only the fore-named Articles shall be Executed without any manner of Tergiversation or Equivocation; but that likewise it shall be free for his Majesty to Depute one or more Persons thither, to see the Condition of his Subjects there, and to adjust with them a Time for their Departure; And that it shall be lawful for his Majesty to send one, two, or three Ships at one time, and thereon to Embarque and carry away the said Subjects, their Goods and Slaves; And that

Concerning
Surinam.

The Articles
made by Co-
lonel *Biam* to
stand good.

English at *Surinam* to be
permitted to
leave the
Place, and
bring away
their Estates.

the then Governor there for the States General shall not make or execute any Law, whereby the buying or selling of Land, paying of Debts, or commutation of Goods, shall be otherwise qualified to the *English*, then it hath or shall be to all other Inhabitants of the Colony; but that during their stay, they shall enjoy the same Laws and Priviledges of suing for Debts, and paying their Debts, making Bargains and Contracts, as hath been usually practised amongst the other Inhabitants; And that whensoever his Majesty of *Great Britain* shall desire of the States General sufficient and authentique Letters to the Governor of the said Colony, to suffer the said *English* to depart, and permit the coming of the said Ships, the said States General shall within the space of fifteen days after such Demand, deliver unto whomsoever Deputed by his Majesty of *Great Britain* for that purpose, full and sufficient Letters and Instructions to their Governor there, for permitting the arrival of the Ships, as well as the Embarking of such of his Majesties Subjects as shall declare themselves willing to go away, with their Goods and Slaves, to be Transported where his Majesty shall direct.

VI.

Concerning
the restitution
of Places.

It is Agreed and Concluded, That whatever Country, Island, Town, Haven, Castle, or Fortress, hath been, or shall be taken by either Party from the other, since the beginning of the late unhappy War, whether in *Europe* or elsewhere, and before the expiration of the Times above limited for Hostility, shall be restored to the former Owner in the same Condition it shall be in at the time of the publishing this Peace; after which time there shall be no Plundering

Plundering of the Inhabitants, or demolishing of the Fortifications, or carrying away the Artillery and Ammunition belonging to any Fort or Castle at the time of its having been taken.

VII.

That the Treaty of *Breda* made in the Year 1667, as all other former Treaties Confirmed by the said Treaty, be Renewed, and remain in their full force and vigour, so far forth as they contradict nothing in this present Treaty.

All preceding Treaties to continue in force.

VIII.

That the Marine Treaty made at the *Hague* between the two Parties in the Year 1668, be continued for Nine months after the Publication of this present Treaty, unless it shall be otherwise Agreed on by a subsequent Treaty; and that in the mean time the Consideration of a new one be referred to the same Commissioners to whom the Trade in the *East-Indies* is referred in the subsequent Article.

Marine Treaty of 1668 to continue in force for Nine months, and the Consideration of a new one to be referred to Commissioners.

But if such Commissioners within Three months after their first meeting shall not agree upon a new Marine Treaty, then that Matter shall also be referred to the Arbitration of the Most Serene Queen Regent of *Spain*, in the same manner as the Regulation of the *East-India* Trade is referred to her Majesty in the said Article next following.

In case the Commissioners shall not Agree within three months, it shall be left to the Arbitration of *Spain*.

IX.

In respect that upon the mutual, free, and undisturbed enjoyment of Trade and Navigation, not onely the Wealth, but the Peace likewise of both Nations is most highly concerned; there ought nothing to be so much the care of both Parties, as a just Regulation of Trade, and particularly in the *East-Indies*; and yet in respect that the weightiness

Concerning a Regulation of Commerce in the *East-Indies*

Commissioners to be sent to London to Treat about the same.

ness of the Matter requireth much time to make firm and durable Articles to the Content and Security of the Subject on both Sides; and on the other side, the bleeding Condition of most part of *Europe*, as well as of the two Parties concerned, earnestly demand a speedy Conclusion of this Treaty, the King of *Great Britain* is pleased to condescend to the Desires of the States General, to have the Consideration of the same referred to an equal number of Commissioners to be nominated by each Party, the said States General Engaging themselves to send those of their nomination to Treat at *London* with those to be nominated by his Majesty; and this within the space of Three months after the Publication of this Treaty; The number to be nominated by each, to consist of six Persons; And in case that after Three months from the time of their first Assembling, they shall not have the good success to conclude a Treaty, the Points in difference betwixt them shall be referred to the Arbitrement of the Most Serene Queen Regent of *Spain*, who shall nominate eleven Commissioners; and whatsoever the major part of them shall determine as to the remaining Differences, shall oblige both Parties; Provided still, that they deliver their Judgment within the space of Six months from the day of their Assembling; which shall likewise be within the space of Three months after the said Most Serene Queen Regent of *Spain* hath accepted of the being Umpire.

X.

800000 Patacons to be paid to his Majesty.

That whereas the Most Serene Queen Regent of *Spain* hath given Assurance to his Majesty of *Great Britain*, That the said States General should upon the making of the Peace, pay unto his said Majesty the

the King of *Great Britain*, the Sum of 800000 Patacoons, The said States General do Promise and Covenant to pay the said 800000 Patacoons in this following manner, *viz.* A fourth part as soon as the Ratification of this Treaty shall be mutually Exhibited, and the rest the three ensuing Years by equal Portions.

XI.

The aforesaid Most Serene King of *Great Britain*, and the said High and Mighty States General of the *United Provinces*, shall observe sincerely, and *bona fide*, all and singular the Matters Agreed and Concluded in this present Treaty, and cause the same to be observed by their Subjects and Inhabitants ; nor shall they directly or indirectly violate any of them, or suffer them to be violated by their Subjects or Inhabitants : And they shall Ratifie and Confirm all and every thing as before Agreed, by Letters Patents Subscribed with their Hands, and Sealed with their Great Seals, conceived and written in sufficient, valid, and effectual Form ; and shall deliver, or cause the same to be delivered reciprocally, within Four weeks after the Date of these Presents, (or sooner if it may be) *bona fide*, really, and with effect.

About the Ratification ;

XII.

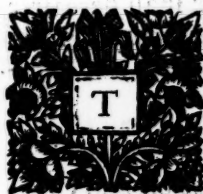
Lastly, As soon as the said Ratifications shall have been duly and mutually Exhibited and Exchanged, the Peace shall be Proclaimed at the *Hague* within Four and twenty hours after the Delivery and Exchange there made of the said Ratifications.

And Publication.

Done at *Westminster* the 19th day of *February* 1674.

A Treaty Marine between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General of the United Netherlands, to be observed throughout all and every the Countries and Parts of the World, by Sea and Land, Concluded at London the First day of December 1674. S.V.

Article I.



That it shall and may be lawful for all and every the Subjects of the Most Serene and Mighty Prince, the King of *Great Britain* aforesaid, with all freedom and safety to Sail, Trade, and Exercise any manner of Traffick in all those Kingdoms, Countries, and Estates, which are, or at any time hereafter shall be in Peace, Amity, or Neutrality with his said Majesty ; So that they shall not be any ways hindred or molested in their Navigation or Trade, by the Military Forces, nor by the Ships of War, or any other kind of Vessels whatsoever, belonging either to the High and Mighty States General of the *United Netherlands*, or to their Subjects, upon occasion or pretence of any Hostility or Difference which now is, or shall hereafter happen between the said Lords the States General, and any Princes or People whatsoever in Peace, Amity, or Neutrality with his said Majesty : And likewise, that it shall and may be lawful for all

English to Trade freely to all Places in Amity or Neutrality with the States.

*Dutch to Trade
freely to all
Places in A-
mity or Neu-
trality with
England.*

and every the Subjects of the said High and Mighty Lords the States General of the *United Netherlands*, with all freedom and safety to Sail, Trade, and Exercise any manner of Traffick in all those Kingdoms, Countries, and Estates, which are, or at any time hereafter shall be in Peace, Amity, or Neutrality with the aforefaid Lords the States; So that they shall not be any ways hindred or molested in their Navigation or Trade, by the Military Forces, nor by the Ships of War, or any other kind of Vessels whatsoever, belonging either to the Most Serene and Mighty King above mentioned, or to his Subjects, upon occasion or pretence of any Hostility or Difference, which now is, or shall hereafter happen between his said Majesty, and any Princes or People whatsoever, in Peace, Amity, or Neutrality with the said Lords the States.

II.

*This freedom
to extend to
all Commodi-
ties not pro-
hibited.*

Nor shall this freedom of Navigation and Commerce be infringed by occasion or cause of any War, in any kind of Merchandizes, but shall extend to all Commodities which shall be carried in time of Peace; those only excepted which follow in the next Article, and are comprehended under the Name of Contraband.

III.

*What Goods
are prohibi-
ted.*

Under this Name of Contraband or Prohibited Merchandises shall be comprehended only Arms, Pieces of Ordnance, with all Implements belonging to them, Fire-balls, Powder, Match, Bullets, Pikes, Swords, Lances, Spears, Halberds, Guns, Mortar-Pieces, Petards, Granadoes, Musquet-rests, Banderoliers, Salt-petre, Musquets, Musquet-shot, Helmets, Corsets,

Corsets, Breast-plates, Coats of Mail, and the like kind of Armature, Soldiers, Horses, and all things necessary for the Furniture of Houses, Hostlers, Belts, and all other Warlike Instruments whatsoever.

IV.

These Merchandises following shall not be reckoned among Prohibited Goods, *viz.* All kind of Cloth; and all other Manufactures woven of any kind of Wooll, Flax, Silk, Cotton, or any other Material; all sorts of Clothing and Vestments, together with the Materials whereof they use to be made; Gold and Silver, as well Coyned as not Coyned; Tin, Iron, Lead, Copper, and Coals; as also Wheat, Barley, and all other kind of Corn or Pulse; Tobacco, and all kind of Spices, Salted and Smoked Flesh, Salted and Dried Fish, Butter and Cheese, Beer, Oyls, Wines, Sugars, and all sort of Salt; and in general, all Provision which serves for the nourishment and sustenance of Life; likewise all kind of Cotton, Hemp, Flax and Pitch; and Ropes, Sails and Anchors; also Masts and Planks, Boards and Beams of what sort of Wood soever, and all other Materials requisite for the Building or Repairing Ships, but they shall be wholly reputed amongst free Goods, even as all other Wares and Commodities which are not comprehended in the next precedent Article; So that the same may be freely Transported and carried by the Subjects of his said Majesty, even unto Places in Enmity with the said States, as also on the other side, by the Subjects of the said States, to Places under the Obedience of the Enemies of his said Majesty; Except only Towns or Places Besieged, Environed, or Invested, in French, *Bloquees ou Investies.*

What Goods are not prohibited.

Liberty of Trade unto Places in Enmity with the other Party.

Ships only to
shew their
Passports.

How to be
visited.

And that all manner of Differences and Contentions on both Sides by Sea and Land, may from henceforth cease and be utterly extinguished, It is Agreed, That all kind of Ships and Vessels whatsoever, belonging to the Subjects of his said Majesty, entring or being entred into any Road or Port under the Obedience of the Lords the States, and purposing to pass from thence, shall be only obliged to shew unto the Officers acting in the Ports of the said States, or to the Captains of the States Ships, or of Private Men of War (if any happen there to be) their Passport, commonly called a Sea-brief (the Form whereof is added at the end of these Articles;) nor shall any Money or any thing else be exacted from them under that Pretence; But if any Ship belonging to the Subjects of his Majesty of *Great Britain*, shall in the open Sea, or elsewhere out of the Dominions of the said States, meet the Ships of War of the said Lords the States, or Private Men of War of their Subjects, the said Ships of the Lords the States, or of their Subjects, shall keep at a convenient distance, and only send out their Boat, and it shall be lawful for them only with two or three Men, to go on Board the Ships and Vessels of the Subjects of his Majesty, that the Passport (or Sea-brief) of the Propriety thereof according to the Form hereafter specified, may be shewn to them by the Captain or Master of such Ship or Vessel belonging to the Subjects of his Majesty; and the Ship which shall shew the same shall freely pass, and it shall not be lawful to molest, search detain, or divert the same from her intended Voyage: And all the Subjects of the Lords the States shall enjoy in all things

things, the same Liberty and Immunity, they in like manner shewing their Passport (or Sea-brief) made according to the Form prescribed at the latter end of this Treaty.

VI.

But if any Ship or Vessel belonging to the *English*, or other Subjects of his Majesty, shall be met making into any Port in Enmity with the Lords the States ; Or on the other side, if any Ship belonging to the United Provinces of the *Netherlands*, or other Subjects of the Lords the States, shall be met in her Way making into any Port under the Obedience of the Enemies of his said Majesty, such Ship shall shew, not only a Passport (or Sea-brief) according to the Form here under prescribed, wherewith she is to be furnished, but also her Cocquets expressing the Contents of the Goods on Board, given in the usual Form, by the Officers of the Customs in the Port from whence she came, whereby it may be known whether she is Laden with any Merchandises Prohibited by the third Article of this Treaty..

Ships going to Enemies Ports, to shew their Cocquets besides their Passports.

VII.

But if by the shewing the abovesaid Cocquets expressing the Contents of the Goods on Board, given in the usual Form by the Officers of the Customs in the Port from whence she came, (concerning the shewing whereof it is above Agreed) either Party shall discover any kind of Merchandises which in the third Article of this Treaty are declared to be Contraband or Prohibited; Configned to any Port under the Obedience of their Enemies, it shall not be lawful to open the Hatches of such Ship in which the same shall happen to be found, whether:

If prohibited Goods be found to be in any Ship, what to be done.

The Ship and
the other
Commodities
not forfeited
therefore.

whether she belongs to the Subjects of his Majesty, or of the Lords the States; nor to unlock, or break open the Chests, Mails, Packs, or Casks in the same, nor to convey away any the least part of the Merchandises, before the whole be first Land- ed in the presence of the Officers of the Admiralty, and Inventaried; neither shall it be any ways law- ful to Sell, Exchange, or otherwise to Alienate the same, until such Prohibited Goods are rightly and lawfully Proceeded against, and that the Judges of the Admiralty have by their respective Sentences Confiscated the same: Provided always, That as well the Ship it self, as the rest of the Commodities found in the same, which by this Treaty are to be reputed Free, shall not upon pretence of their be- ing infected by such Prohibited Goods, be detained, much less Confiscated for lawful Prize; But if not the whole, but a part only of the Lading consists of Contraband or Prohibited Commodities, and that the Master of the Ship shall be willing and ready to deliver them to the Captor who Seised the same, in that case the Captor shall not compel the Ship to go out of her Course, to any Port he thinks fit, but shall forthwith dismiss her, and upon no account hinder her from freely prosecuting her designed Voyage.

VIII.

Free Ship
free Goods;
& e contra.

It is further Agreed, That whatsoever shall be found Laden by his Majesties Subjects, upon any Ship whatsoever belonging to the Enemies of the Lords the States, although the same be not of the quality of Contraband Goods, may be Confiscated; But on the contrary, all that which shall be found in the Ships belonging to the Subjects of his Maje- sty, shall be accounted Clear and Free, although the

the whole Lading or any part thereof, by just Title of Propriety, shall belong to the Enemies of the Lords the States; Except always Contraband Goods, which being intercepted, all things shall be done according to the Meaning and Direction of the precedent Articles; And by the same reason, whatsoever shall be Laden by the Subjects of the Lords the States, in any Ship whatsoever belonging to the Enemies of his Majesty, although the same be not of the quality of Contraband Goods, may be Confiscated; But on the other side, all that which shall be found in the Ships belonging to the Subjects of the Lords the States, shall be accounted Clear and Free, although the whole Lading, or any part thereof, by just Title of Propriety, shall belong to the Enemies of his Majesty; Except always Contraband Goods, which being Intercepted, all things shall be done according to the Meaning and Direction of the precedent Articles. And least any Damage should by Surprise be done to the one Party who is in Peace, when the other Party shall happen to be Engaged in War, It is Provided and Agreed, That a Ship belonging to the Enemies of the one Party, and Laden with Goods of the Subjects of the other Party, shall not infect or render the said Goods liable to Confiscation, in case they were Laden before the expiration of the Terms and Times hereafter mentioned, after the Declaration or Publication of any such War; viz. If the Goods were Laden in any Port or Place between the Places or Limits called the *Soundings*, and the *Naz* in *Normay*, within the space of Six weeks after such Declaration; Of Two months between the said Place the *Soundings*, and the City of *Tangier*; and of Ten weeks in the *Mediterranean Sea*; Or within the space

Goods Laden before War is Declared by either of the Parties against a third State, in whose Ship the said Goods are, nor to be forfeited.

space of Eight months in any other Country or Place of the World ; So that it shall not be lawful to Confiscate the Goods of the Subjects of his Majesty taken or seised in any Ship or Vessel whatsoever of any Enemy of the Lords the States, upon that Pretence, but the same shall be without delay restored to the Proprietors, unless they were Laden after the expiration of the said Terms of Time respectively ; but so that it may not be lawful for them afterwards to carry to Enemies Ports, the said Merchandises which are called Contraband, and for the reason aforesaid shall not be liable to Confiscation ; Neither on the other side, shall it be lawful to Confiscate the Goods of the Subjects of the Lords the States taken or seised in any Ship or Vessel whatsoever of an Enemy of his Majesty, upon that Pretence ; but the same shall be forthwith restored to the Proprietors thereof, unless they were Laden after the expiration of the said Terms of Time respectively ; But so, that it may not be lawful for them afterwards to carry to Enemies Ports, the said Merchandises which are called Contraband, and for the reason aforesaid shall not be liable to Confiscation.

IX.

And the more to assure the Subjects of his Majesty and of the said States, that no Injury shall be offered to them by the Ships of War, or Private Men of War of either side, all the Captains of the Ships, as well of his Majesty as of the said States, and all their Subjects who shall set out Private Men of War, and likewise their Priviledged Companies, shall be enjoyned not to do any Injury or Damage whatsoever, to the other ; which if they do, they shall be punished,

Privateers and
Companies to
make Restitu-
tion in case of
a Contraven-
tion.

punished, and moreover be liable to satisfy all Costs and Damages, by Restitution and Reparation, upon Pain and Obligation of Person and Goods.

X.

For this cause all the Commanders of Private Men of War, shall from henceforth be obliged before they receive their Commissions, to Enter before a competent Judge, good and sufficient Security by able and responsible Men, who have no Part or Interest in such Ship, in the Sum of Fifteen hundred pounds Sterling, or Sixteen thousand five hundred Guilders ; and when they have above One hundred and fifty Men, then in the Sum of Three thousand pounds Sterling, or Three and thirty thousand Guilders, that they will give full Satisfaction for any Damages or Injuries whatsoever, which they or their Officers, or others in their Service, shall commit in their Courses at Sea, contrary to this present Treaty, or any other whatsoever, between his Majesty and the said States, and upon pain of Revocation and Annulling their said Commissions, in which it shall be always inserted, that they have given such Security as abovesaid ; And likewise it is Agreed, That the Ship it self shall be also liable to make Satisfaction for Injuries and Damages done by her.

Privateers to
give Security.

XI.

His Majesty and the said States being desirous that the Subjects of each other may be mutually Treated in all Countries under their Obedience respectively, with the like kindness as their own Subjects, will give all necessary and effectual Orders, the Judgments upon Prizes taken, be given

Judgments upon
Prizes to
be given according to
Justice.

according to the Rule of Justice, and Equity, by Judges beyond all suspicion, and not any way concerned in the Cause under Debate; And his Majesty and the said States will likewise give strict Orders that all Sentences already given, and which shall be hereafter given, be (according to the Tenor thereof) duly put in Execution, and obtain their Effect.

XII.

Upon complaint against Sentences, the same to be Reviewed within Three months.

And whensoever the Ambassadors of the said Lords the States, or any other their Publick Ministers, Resident at the Court of his Most Serene Majesty of *Great Britain*, shall complain of the unjustice of Sentences which have been given, his Majesty will cause the same to be Reviewed and Examined in his Council, that it may appear whether the Orders and Precautions prescribed in this Treaty have been observed, and have had their due Effect, and will also take care that the same be fully provided for, and that Right be done to the Party complaining, within the space of Three months; And likewise when the Ambassadors, or other Publick Ministers of his Majesty, Resident with the States General, shall complain of the unjustice of Sentences, the said States will cause a Review and Examination thereof to be made in the Assembly of the States General, that it may appear whether the Orders and Precautions prescribed in this Treaty have been observed, and have had their due Effect, and they will likewise take care that the same be fully provided for, and that Right be done to the Party complaining within the space of Three months: Nevertheless it shall not any ways be lawful to Sell or Unlade the Goods in Controversie,

Goods not to be sold before Sentence, or during the Review.

lie, either before the Sentence given, or after it, during the Review thereof, on either Side, unless it be with the consent of the Parties interess'd.

XIII.

A Suit being Commenced between the Takers of Prizes on the one Part, and the Claimers thereof on the other, and a Sentence or Decree being given for the Party Reclaiming, the said Sentence or Decree (upon Security given) shall be put in Execution, notwithstanding the Appeal made by him that took the Prize, which shall not be observed, in case the Sentence shall be given against the Claimers.

Sentence in case of Prizes being given for the Reclaimers, shall be put in Execution notwithstanding the Appeal.

XIV.

And whereas the Masters of Merchants Ships, and likewise the Mariners and Passengers, do sometime suffer many Cruelties and barbarous Usages, when they are brought under the power of Ships which take Prizes in time of War, the Takers in an inhumane manner Tormenting them, thereby to extort from them such Confessions as they would have to be made, It is Agreed, That both his Majesty and the Lords the States General, shall by the severest Proclamations or Placaets, forbid all such hainous and inhumane Offences, and as many as they shall by lawful Proofs find guilty of such Acts, they shall take care that they be punished with due and just Punishments, and which may be a Terror to others; And shall Command that all the Captains and Officers of Ships, who shall be proved to have committed such hainous Practises, either themselves or by instigating others to act the same, or by conniving while they were done, shall (besides other Punishments to be inflicted proportionably to

No Master or Mariner of a Ship taken, to be used cruelly, or tortured.

If they have
been Tortu-
red, the Ship
and Lading
shall be free.

their Offences) be forthwith deprived of their Offices respectively; And every Ship brought up as Prize, whose Mariners or Passengers shall have suffered any Torture, shall forthwith be dismissed and freed, with all her Lading, from all further Examination and Proceedings, against her, as well Judicial as otherwise.

XV.

Neither Par-
ties Subjects
to take Com-
missions from
a third Party.

It is also Agreed, That the like severity of Punishments shall be inflicted upon those, who contrary to the meaning of the One and twentieth Article of the Treaty of Peace Concluded at *Breda*, shall take Commissions from Enemies, to seize the Ships of either Allie (or Party) contrary to what is Provided in the said Article.

XVI.

To be Ratified
within Two
months;

And Copies to
be sent to all
Colonies, &c.

Lastly, It is Agreed and Concluded, That this present Treaty, and all and singular the things therein contained, shall be with all convenient speed on both Sides Ratified and Confirmed, and that the Ratifications thereof shall be within Two months from the Date hereof, rightly and reciprocally Exchanged between both Parties; And also that the said Treaty shall within One month after such Exchanging of the Ratifications, be delivered in due and authentique Form to the Governors of the *English East-India* and *Africa* Companies, and to the Directors of the *Dutch East* and *West-India* Companies, and shall with the first Conveniency be also sent by his said Majesty, and by the said Lords the States, to their respective Governors and Commanders in Chief of their Colonies and Plantations in every Part of the World out of *Europe*, to the end that

that it may be by them, and all others within their Domions and under their Power, punctually observed and fulfilled.

The Form of the Passport (or Sea-brief) to be asked of, and given by the Lord High Admiral, or by those to whom the Exercise of Admiralty-Jurisdiction is ordinarily committed, or by the Mayor or other chief Magistrate, or by the Commissioners, or other principal Officers of the Customs in their respective Ports and Places within His Majesties Dominions, to the Ships and Vessels Sailing out thence, according to the Purport of the Fifth Article.

TO all unto whom these Presents shall come,
Greeting. We Lord High
Admiral of We Lords
Commissioners Executing the Office of the Lord
High Admiral of or We
Judge of the High Court of the Admiralty of
or We the Mayor, or
other Magistrate of or We
Commissioners, or principal Officers of the Cu-
stoms in the City or Port of Do
Testifie and make known, That
Master or Commander of the Ship called the
hath appeared before Us, and hath declared
by solemn Oath, That the said Ship or Vessel con-
taining about Tons, of which he
is at present Master or Commander, doth belong to
the Inhabitants of within the
Dominions of the Most Serene and Mighty Prince,
the King of England, Scotland, France and Ireland,
Defender of the Faith, &c. So help him God. And
in

in regard it would be most acceptable to Us, that the said Master or Commander be assisted in his just and lawful Affairs, We do request you, and every of you, wheresoever the said Master or Commander shall arrive with his Ship, and the Goods Laden on Board and carried in her, that you would please to receive him courteously, and use him kindly, and admit him, upon paying the lawful and usual Customs and other Duties, to enter into, remain in, and pass from your Ports, Rivers, and Dominions, and there to enjoy all kind of Right of Navigation, Traffick, and Commerce, in all Places where he shall think fit ; Which We shall most willingly and readily acknowledge upon all Occasions : In Testimony and Confirmation whereof, We have with Our Hand Signed these Presents, and caused them to be Sealed with Our Seal : Dated at
in the the day of
in the Year of our Lord

The Form of the Passport (or Sea-brief) to be asked of, and given by the Burgermasters of the Cities and Ports of the United Netherlands, to the Ships or Vessels Sailing from thence, according to the Purport of the Fifth Article.

TO the most Serene, most Illustrious, most Mighty, most Noble, most Honorable, and most Prudent Emperors, Kings, Governors of Commonwealths, Princes, Dukes, Earls, Barons, Lords, Burgermasters, Schepens, Counsellors, Judges, Officers, Justices, and Rulers of all Cities and Places, as well Ecclesiastical as Secular, to whom these Presents shall be shewn ; We the Burgermasters and Rulers of the City of do Certifie, That

Master or Skipper of the Ship
appeared before Us, and declared by solemn Oath,
That the said Ship called the contain-
ing about Lasts, of which he is at present
Master or Skipper, belongeth to the Inhabitants of
the *United Netherlands*: So help him God. And in
regard it would be most acceptable to Us, that the
said Master or Skipper be assisted in his just and law-
ful Affairs, We do request you and every of you,
wheresoever the said Master or Skipper shall arrive
with his Ship, and the Goods Laden on Board and
carried in her, that you would please to receive him
courteously, and use him kindly, and admit him,
upon paying the lawful and usual Customs and o-
ther Duties, to enter into, remain in, and pass from
your Ports, Rivers, and Dominions, and there to
enjoy all kind of Right of Navigation, Traffick, and
Commerce, in all Places where he shall think fit ;
Which We shall most willingly and readily ac-
knowledge upon all Occasions : In Testimony and
Confirma-

Form of the Pass for a Dutch Ship.

Confirmation whereof We have caused the Seal of
 Our City to be hereunto put : Dated at
 in the day of
 in the Year of our Lord

*In Testimony and Confirmation of all and singular the
 Premisses, We the Commissioners of his Majesty
 and the Lords the States General aforesaid, being
 sufficiently Impowered thereunto, have to these
 Presents Subscribed Our Names, and Sealed them
 with Our Seals, At London, the First day of
 December, 1674.*

Tho. Culpeper	J. Corver
G. Downing	G. Sautyn
Richard Ford	Samuel Beyer
Will. Thomson	And. Van Vossen
John Jollife	P. Duvelaer
John Buckworth	M. Michielzen.

Explana-

*Explanatory Declaration upon certain Articles of the
Marine Treaties, Concluded between His Majesty and
the States General of the United Provinces, Febr. 17.
1667, and Decemb. 1. 1674.*

W Hereas some Difficulty hath arisen concerning the Interpretation of certain Articles, as well in the Treaty Marine which was Concluded the First day of *December* 1674, as in that which was Concluded the 17th of *February* 1667, between his Majesty of *Great Britain* on the one Part, and the States General of the *United Provinces of the Low-Countries* on the other, relating to the Liberty of their respective Subjects to Trade unto the Ports of each others Enemies; We *Sir William Temple* Baronet, Ambassador Extraordinary from his said Majesty of *Great Britain*, in the Name, and on the Part of his said Majesty; and We *William Van Heuckelom*, *Daniel Van Wyngaerden*, Lord of *Werckendam*, *Gaspar Fagel*, Counsellor and Pensioner of *Holland* and *West-Friesland*, *John de Mauregnault*, *John Baron of Reede*, and *Renswoude*, *William de Haren*, Gretman of the *Bilt*, *Henry Ter Borgh*, and *Luke Alting*, Deputies in the Assembly of the said States General for the States of *Guelderland*, *Holland*, *Zealand*, *Utrecht*, *Friesland*, *Overissell*, *Groningen*, and the *Omlands*, in the Name, and on the Part of the said States General, have Declared, as We do by these Presents Declare, That the true Meaning and Intention of the said Articles, is, and ought to be, That Ships and Vessels belonging to the Subjects of either of the Parties, can and might, from the Time that the said Articles were Concluded, not only Pass, Traffick and Trade from a Neu-

tral Port or Place to a Place in Enmity with the other Party, or from a Place in Enmity to a Neutral Place, But also from a Port or Place in Enmity, to a Port or Place in Enmity with the other Party, whether the said Places belong to one and the same Prince or State, or to several Princes or States, with whom the other Party is in War. And We declare, That this is the true and genuine Sence and Meaning of the said Articles, pursuant whereunto We understand, That the said Articles are to be observed and executed on all occasions, on the Part of his said Majesty and the said States General, and their respective Subjects ; Yet so, that this Declaration shall not be alledged by either Party for Matters which happened before the Conclusion of the late Peace in the Month of *February* 1673. And We do promise, That the said Declaration shall be Ratified by his said Majesty, and by the said States General, and that within Two months, or sooner if possible, reckoning from the day and date of this Declaration, the Ratifications of the same shall be brought hither to the *Hague*, to be here Exchanged. In witness whereof We have Signed these Presents at the *Hague*, this 30th day of *December* 1675.

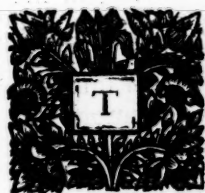
(L.S.) <i>W. Temple.</i>	(L.S.) <i>W. Van Heuckelom.</i>
	(L.S.) <i>D. Van Wyngaerden.</i>
	(L.S.) <i>Gasp. Fagel.</i>
	(L.S.) <i>J. Mauregnault.</i>
	(L.S.) <i>John Baron van Reede</i> <i>vy Heer van Renswoude.</i>
	(L.S.) <i>W. Haren.</i>
	(L.S.) <i>H. Ter. Borgh.</i>
	(L.S.) <i>L. Alting.</i>

Capitula-

Capitulations and Articles of Peace between the Majesty of the King of Great Britain, France and Ireland, &c. and the Sultan of the Ottoman Empire, as they have been Augmented and Altered in the Times of several Ambassadors.

According to my Imperial Command let it be observed, and let no Act be permitted contrary hereunto.

MAHOMET.



THE Command of this Sublime, and Lofty, Imperial Signature, preserved and exalted by Divine Providence, whose Triumph and Glory is renowned through all the World.

By the Favour of the Nourisher of all things, and Mercy and Grace of the Merciful, I that am the powerful Lord of Lords of the World, whose Name is formidable upon Earth, giver of all Crowns of the Universe, *Sultan Mahomet Han*, Son of *Sultan Ibrahim Han*, Son of *Sultan Ahmet Han*, Son of *Sultan Mahomet Han*, Son of *Sultan Murat Han*, Son of *Sultan Selim Han*, Son of *Sultan Soliman Han*, Son of *Sultan Selim Han*.

To the Glorious amongst the great Princes of *Jesus*, revered by the high Potentates of the People of the *Messiah*, sole Director of the important Affairs of the *Nazarene* Nation, Lord of the Limits of Decency, and Honour of Greatness and Fame, *Charles the Second*, King of *England* and *Scotland*, that

Cc 2

is,

Capitulations of Peace with the Ottoman Empire.

is, of *Great Britain, France and Ireland*, whose End and Enterprises may the Omnipotent God conclude with Blifs and Favour, with the Illumination of his holy Will.

In Times past the Queen of the aforefaid Kingdoms ſent divers of her eſteemed Gentlemen, and Perſons of Quality, with Letters and Ships to this Imperial High Port (the Refuge of the Princes of the World, and the Retreat of the Kings of the whole Univerſe) in the happy Times of famous memory of my Anceſtors now placed in Paradife, whoſe Souls be replenifhed with Divine Mercy; which Gentlemen and Preſents were gratefully accepted, making Declaration, and offering in the Name of the ſaid Queen, an entire good Peace, and pure Friendſhip, and demanding that their Subjects might have leave to come from *England* into our Ports. Our ſaid Anceſtors of happy memory did then grant their Imperial Liſenſe, and gave into the hands of the *Engliſh* Nation divers eſpecial and Imperial Commands, to the end that they might ſafely and ſecurely come and go into theſe Dominions, and in coming or returning either by Land or Sea in their Way and Paſſage, that they ſhould of no man be moleſted or hindred. After which Time in the Days of our Grandfather *Sultan Mahomet Han* of famous memory (unto whoſe Soul be granted Divine Abſolution) it being anew deſired, That the Subjects, Merchants, and their Interpreters, might freely and ſecurely come, Merchandiſe, and Negotiate throughall the Parts of this Imperial Dominion, and that ſuch Capitulations, and other Privileges, and Imperial Commands, as had been granted unto the Nation of the Kings and Princes in Peace and Amity with this high Port, as *France, Venice,*

nice, Poland, and others, might also be granted to the Subjects of the said Queen, and all others coming under the *English* Banner ; in confirmation of which Request, were given and confirmed by our Ancestors of famous memory, the Imperial Capitulations and Priviledges succeeding, to say, It is Comanded, &c.

I.

First, That the said Nation, and the *English* Merchants, and any other Nation or Merchants which are or shall come under the *English* Banner and Protection, with their Ships small and great, Merchandise, Faculties, and all other their Goods, may always pass safe in our Seas, and freely and in all security may come and go into any part of the Imperial Limits of our Dominions in such sort, that neither any of the Nation, their Goods and Faculties shall receive any hindrance or molestation from any person whatsoever.

Our Ships may
Trade in all
Parts, &c.

II.

The said Nation shall and may in like manner freely and securely come and go by Land through all the Imperial Limits of our Dominions, so that neither to their Persons, Beasts, Goods, or Faculties, shall any trouble or Impediment be given, nor any Injury be done unto them, but they shall always at their own pleasures safely and securely Traffick in all parts of our Dominions.

Travel freely.

III.

And if it happen that any of the said Nation coming into our Dominions by Land, or passing into any other Country shall be stayed or Arrested by any of our Ministers, such persons shall be set free and

The same.

and at liberty, and afterwards shall receive no hindrance in his Journey.

IV.

All *English* Ships or Vessels, small or great, shall and may at any time safely and securely come and Harbour in any of the Scales and Ports of our Dominions, and likewise may from thence depart at their pleasure, without detention or hindrance of any man.

V.

Distress of
Ships.

And if it shall happen that any *English* Vessel, great or small, fall into any Misfortune, danger of Sea, or any other Necessity, all the Vessels, as well Imperial, as belonging to private Men, that shall be near or present, as also all others that inhabit the Seas, shall give them help and succour; and being come into our Ports or Scales, they shall freely stay in them as long as they please, and for their Money provide for them of all Necessaries, and Provision, and may take Water without the let or hindrance of any man.

Freedom to
take Provisions.

VI.

Cases of Ship-
wrack.

And if it shall happen that any of their Ships shall have suffered Shipwrack, or been broken, or in distress, shall be cast upon any Coast of our Dominions; in which case all Beglerbeks, Caddees, Governors, Ministers, and other our slaves, shall give them all assistance, succour and help; and whatsoever Goods and Faculties shall be saved or recovered in the said Ships, shall be restored to the *English*, and if they shall be informed that any part of their Goods and Faculties shall be stole or taken away, our said Ministers with all diligence, shall make

make sufficient Search and Examination to find out and recover the Goods, and restore them to the *English*.

VII.

The *English* Merchants, Interpreters, Brokers, and all other Subjects of that Nation, whether by Sea or Land, may freely and safely come and go in all the Ports of our Dominions, or returning into their own Country, all our Beglerbeks, Ministers, Governors, and other Officers, Captains by Sea of Ships, and others whomsoever our Slaves and Subjects, we Command that none of them do or shall lay hands upon their Persons or Faculties, or upon any pretence shall do them any hindrance or Injury.

The *English* and their Dependants to Travel freely.

VIII.

If any *Englishman*, either for his own Debt, or for Suretiship, shall absent himself, or make escape away, or shall be Bankrupt, the Creditor shall only pretend his Debt upon his own Debtor, and not of any other *English*; and if the Creditor have not authentick Hoget or Bill of Suretiship made by an *Englishman*, he shall not pretend his Debt of any other *Englishman*.

One *Englishman* not to answer for the Debt of another, unless he be his Surety by Hoget.

IX.

In all Causes, Busineses and Occasions which shall occur between the said Nation, their Merchants, Interpreters and Brokers, or Servants, and any other whatsoever, that is to say, In selling or buying, in paying or receiving, in giving or taking Security, or Pledge, Debt or Credit, and all other such things which appertain to the Ministers of the Law and Justice, they may always (if they please) in such Occasions go to the Caddee, who is the Judge of the Law

In all Busineses nothing of force without Hoget.

Law, and there make a Hoget, or publick authentick Act with Witnes, and Register the same, and take a Copy of the same to keep by them, to the end that if in the future any Difference or Pretence shall arise between the said Parties, they may both have a recourse to the said Hoget and Act. And when the Pretence shall be conformable to the tenor of the Hoget Registered, then it shall be accordingly thereunto observed: And if the Plaintiff hath not in his hands any such authentick Hoget, but only bringeth partial Witnes, which makes Cavils or Pretences, our Ministers shall not give ear to them, but observe the written authentick Hoget.

X.

No Plea to be made against an *Englishman* without knowledge of the Ambassador or Consul.

And if any one within our Dominions shall accuse any *Englishman* to have done him wrong, and shall therefore raise any Pretence upon him by violent or partial Witnes, our Ministers shall not give ear unto them, nor accept them, but the Cause shall be advised to the Ambassador or Consul Resident of the *English* Nation, to the end that the Business may be decided with his knowledge, and in his presence, that the *English* may always have recourse to their defence and protection.

XI.

No *Englishman* to be molested for another without being Pledge.

If any *Englishman*, having committed an Offence, shall make his escape, or absent himself, no other *Englishman*, not being Pledge, shall be taken or molested for him.

XII.

Englishmen not to be Slaves.

All *Englishmen*, or Subjects of *England*, which shall be found Slaves in our State, or shall be demanded by the Ambassador or Consul, the Cause shall

shall be duly Examined, and such persons as are found truly to be Subjects of *England* shall be set free, and delivered to the Ambassador or Consul.

XIII.

All *Englishmen*, and all other Subjects of the Crown of *England*, which shall dwell or reside in our Dominions, whether they be married or single, may buy, sell, and Traffick; and of them shall no *Harach*, or Head-money be demanded.

No *Harach* demanded.

XIV.

The *English* Ambassador, Resident in *Aleppo*, *Alexandria*, *Tripoli* of *Suria*, or *Tunis*, *Algier*, *Tripoli* of *Barbary*, in *Smyrna*, the Ports of *Cairo*, or any other Parts of our Dominions, may at their pleasure establish their Consuls, and in like manner remove them, or change and appoint others in their places, and none of our Ministers shall oppose, or refuse to accept them.

The Ambassadors power to constitute Consuls.

XV.

In all Causes concerning Law and Justice between the *English* Nation and any other, in the absence of their Interpreters, the Judges, nor any other of our Ministers, shall not proceed to give Sentence.

No Process without the Interpreter.

XVI.

If there happen any Controversie amongst themselves, the Decision thereof shall be wholly left to their own Ambassador or Consul, according to their own Right and Laws, and with no such Causes our Ministers shall intermeddle.

The *Turks* not to meddle in Differences between the *English*.

XVII.

Our Armada of Gallies, Ships, or any other Vessels

Our Ships not
to be detained
at Sea by the
Turks Arma-
da.

fels of our Empire, which at Sea meet, or find any *English* Ship, they shall not do them, nor suffer to be done to them the least injury or trouble; nor shall they stay them, demand, pretend, or take any thing from them, but shall salute and shew good and mutual Friendship the one to the other, without offence.

XVIII.

All Priviledges
granted to o-
ther Nations,
granted also to
the *English*.

All those particular Priviledges and Capitulations, which in former Times have been granted to the *French*, *Venetians*, or any other *Christian* Nation, whose King is in Peace and Friendship with this Port, in like manner, the same were granted and given to the said *English* Nation; to the end, that in time to come, the Tenor of this our Imperial Capitulations may be always observed by all men; and that none may, in any manner, upon any pretence, presume to contradict or violate it.

XIX.

Against *Turk*-
ish Pirates.

If the Pirates, or *Levents*, who infest the Seas with their Frigats, shall be found to have taken any *English* Vessel, or to have robbed or spoiled their Goods and Faculties: Also if it shall be found, that in any of our Dominions, any shall have violently taken Goods of any *Englishman*, our Ministers shall with all diligence seek out such Offenders, and severely punish them, and cause that all such Goods, Ships, Moneys, and whatsoever hath been taken away from the *English* Nation, shall be presently, justly, and absolutely restored to them.

XX.

All our Beglerbegg, Begg, Captains, Masters of Imperial Ships, and other private Judges, Governors,

nors, Customers, Farmers, and all our Ministers, Subjects and Slaves, shall always obey and keep the Tenor of these our Sworn Capitulations, and shall with all observance respect the Friendship and good Correspondence established on both Parties, every one in particular taking especial care not to commit any Act contrary thereunto. And as long as the said Queen of *England*, according to this present Agreement of sincere Friendship, and good Correspondence, shall shew her self, and remain with us in Peace, Friendship, and League, firm, constant, and sincere ; We do promise also on our Parts reciprocally, that this Peace, Friendship, Articles, Capitulations, and Correspondence in the fore-written Form, shall be for ever of us maintained, observed, and respected ; and of no man any part thereof shall be contradicted or infringed : All which above-mentioned Articles of Peace and Friendship were Concluded, Signed, and an Imperial Capitulation granted and confirmed by our Ancestors of happy memory.

Since which time his Majesty of *England*, *James*, deceased in the time of our Grandfather of happy memory, *Sultan Achmet Han*, having sent unto our Imperial Throne his Ambassadors, Letters and Presents, which were most acceptable, and desired that the already Contracted Peace and Friendship, and good Correspondence made with our Grandfathers, and the Capitulations, Articles, and Priviledges above written, should be again Ratified, and the said Peace and Friendship renewed ; farther requesting, that certain Articles very necessary should to the same Capitulations be added. The Desire of his Majesty being declared in the Imperial Presence of our said Grandfather *Sultan Achmet Han*,

Capitulations of Peace with the Ottoman Empire.

was presently granted : And he gave expresse Command and Order, that the said Peace and Friendship should be renewed and fortified, and the ancient Capitulations and Priviledges confirmed ; and that the new desired Articles should be inserted, and added to the Imperial Capitulations : Granting farther to the *English* Nation, all those Articles and farther Priviledges which were given, and written in any Capitulations with other Nations, Potentates, or Kings in Peace and Amity with this Imperial Port : And by this Imperial Command he gave order that these his Imperial Commands should be obeyed of all men, and the Tenor of them duly observed. The Articles which then were granted, and added to the Capitulations, were these following.

XXI.

No Custom to
be taken on
Moneys.
None to force
change of Mo-
neys,

That our Ministers shall not demand, or take of the said *English* Nation any Custom, or other Duties of all the Dollars and Chequeens they, or any under their Banner shall bring in, or Transport from Place to Place, or carry out of our Dominions; and that neither Beglerbeks, Beks, Caddees, Treasurers, Mint-Masters, or other, shall take and demand either Dollars or Chequeens, from the said Nation, to change them into small Aspers ; nor shall give or do them any violence or trouble thereupon.

XXII.

No Ammunition
to be
carried in our
Ships.

The *English* Nation, and all those that come under their Banner, their Vessels, small and great, shall and may Navigate, Traffick, Buy, Sell, and abide in all Parts of our Dominions; and excepting Arms, Gunpowder, and other such prohibited Commodities, they may load and carry away in their Ships
whatso-

whatsoever of our Merchandises, at their own pleasure, without the impeachment or trouble of any man; and their Ships and Vessels may come safely and securely to Anchor at all times, and Traffick at all times in every part of our Dominions, and with their Money buy Victuals, and all other things, without any contradiction or hindrance of any man.

Provisions
may be bought
for our Ships.

XXIII.

And if any Difference shall happen with any of the said *English* Nation, by Suit in Law, or any other Controversie, the Caddees, or any other Ministers of our Justice, shall not hear nor decide the Cause, until the Ambassador, Consul, or Druggerman of the said Nation shall be present.

No Process to
be made with-
out presence
of the Amba-
sador, &c.

XXIV.

All Differences, or Suits of Law depending with the said Nation, which shall exceed the value of 4000 Aspers, shall always be heard and decided at our Imperial Port.

Suits of Law
above 4000
Aspers, to be
heard above.

XXV.

The *English* Nations Consul, or Resident in any Port of our Dominions, being established by the Ambassador, Resident for the *English* Nation, our Ministers shall have no power to Imprison, or Examine, or Seal up their Houses, nor to dismiss or displace them from their Charge and Office; but in case of any Difference or Suit with the Consul, there shall be made a Certificate to the Imperial Port, to the end that the Ambassador may protect and answer for them.

No Consul to
be imprison-
ed, nor dis-
missed, &c.

XXVI. When

XXVI.

The Goods of
Englishmen dy-
ing, not to
Escheat, &c.

When any *Englishman*, or other under their Banner, shall die in our Dominions, with their Goods or Faculties, or any thing that belonged unto them, our Escheators, Caddees, or other Ministers, upon pretence they are Goods of the Dead, without any Owner, shall not meddle, take or seise any part thereof, but they shall always be consigned, and remaining to such other *English* as the Deceased shall by his Testament assign; and if he died Intestate, then the *English* Consul shall take and receive his Faculties and Goods; and if there be no Consul, the *English* Resident there shall take the Possession; and in case there be neither Consul, nor *English*, the said Goods and Faculties whatsoever, shall be received into the custody of the Caddee of that Place; and having advised the *English* Ambassador thereof, the said Caddee shall resign all the said Goods unto such Persons as the Ambassador shall send with Commission to receive them.

XXVII.

All these Priviledges, and other Liberties granted to the *English* Nation, and those who come under their Protection, by divers Imperial Commands, whether before or after the Date of these Imperial Capitulations, shall be always obeyed and observed, and shall always be understood and interpreted in favour of the *English* Nation according to the Tenor and true Contents thereof.

XXVIII.

Neither the Officer called the *Cassam*, or Gatherer of the Caddees Duties, in case of Death, nor the Caddee,

Caddee, shall pretend or take of the said *English* Nation, any kind of Tenths, or Casnets, or Fee of Division.

In cases of Death, the Caddee not to meddle.

XXIX.

The Ambassador of the King of *England*, or Consul Residing in our Dominion, shall and may take into their Service any *Janizary*, or Interpreter, at their own charge and choice; and no *Janizary*, nor other our Slaves, shall put themselves, or intermeddle with their Service against their liking or consent.

No *Janizary*, &c. to be imposed on us without our consent.

XXX.

The Ambassador of his Majesty of *England*, and Consul, and the *English* Nation Residing in our Empire, for the use of their own Persons and Families, making Must or Wine in their own Houses, none of our Ministers, Caddees, or *Janizaries*, shall molest or hinder them, or demand any Duties or Money, or do them any violence or impediment.

For making Wine.

XXXI.

In the Port of *Constantinople*, *Aleppo*, *Alexandria*, *Scio*, *Smyrna*, and in other Parts of our Dominions, the *English* Merchants having paid the Custom of their Merchandise, according to the Tenor of the Imperial Capitulations, no man shall molest or trouble, or take from them any thing more; and whatsoever Merchandise shall be loaden upon their Ships, and brought in our Dominions, and Landed at any Scale, they being desirous to lade it again, and to Transport it to any other Scale or Port, the same Goods arriving in the second Place and Scale, and being there unladen, neither the Customer nor Farmers, nor any other our Officers, shall pretend

Customs paid in one Port, are not to be demanded in another.

or

or take again any Customs, or Gabels of the said Merchandise ; that the said Nation may always freely and securely Trade, and follow their Business.

XXXII.

No *Hassapie*
Duties.

Neither of the *English* Nation, nor of any Trading under their Banner, there shall not be demanded nor gathered one Asper, nor any Money in the name of Imposition *Hassapie*, or Compositions for Flesh for the *Janizaries*.

XXXIII.

There having been in Times past a Difference between the Ambassador of the Queen of *England*, and the *French* Ambassador, both Resident in our Port, about the Merchants of the *Dutch* Nation ; both which Ambassadors sent their Petitions to our Imperial Stirrup, and made Request, That the said *Dutch* Merchants, coming into our Dominions, should pass under their Banner ; which Request of both Ambassadors was granted under our Imperial Seal ; notwithstanding *Sinan Bassa*, the Son of *Cigala*, Captain of the Sea, now deceased, as Admiral, and practised in Maritime Cases, having advised the Imperial Majesty, that it was fit and convenient that the *Dutch* Nation should be assigned to the Protection of the Ambassador of *England*, and that it should be so written in their Capitulations : which Opinion being by all the Viziers approved, by Express Order, and Imperial Authority, it was Commanded, That the *Dutch* Merchants of the Provinces of *Holland*, *Zealand*, *Friezland*, and *Gwelderland* ; that is, the Merchants of those four Provinces, Trading in our Dominions, shall always come under the Banner of the Queen of *England*, as all other

All Strangers
to come under
the *English*
Protection

English

English do ; and that of all the Goods and Merchandise which they shall or do Import or Export to and from our Dominions in their Vessels, they shall pay the Duties of Consulage, and all other Duties, to the Ambassador or Consul of the *Queen of England* ; and that never hereafter the *French* Ambassador or Consul shall insinuate nor intermeddle herein : And accordingly it was Commanded, that for the time to come it should be ruled and observed, according to this present Capitulation.

After which, there being arrived another Ambassador at this High Port, sent from the King of *England* with Letters and Presents, which were most acceptable, the said Ambassador did make Request, that certain other necessary Articles should be added, and written in the Imperial Capitulations ; of which the first was, As in Times past, in the Days of one of our Forefathers of famous memory, *Sultan Soliman Han*, there was granted a certain Capitulation and Privilege, That the Merchants of the *Spanish* Nation, *Portugal*, *Ancona*, *Sevilla*, *Florence*, *Catalonia*, and all sorts of *Dutchmen*, and other Merchant-Strangers, might safely and securely go and come through all the Places of our Dominions, and Trade and Traffick ; granting unto them moreover, that in any part of our Empire they might establish their Consuls : But it being that every Nation apart was not able to defray the Charges and Maintenance of a Consul, it was then left to their will and choice, to come under the Banner of such Ambassador or Consul as should best like them, provided that it were an Ambassador or Consul of a King in Peace and Amity with our High Port ; upon which Grant, and other Privileges given them, there were often granted divers Imperial Commands and Constitu-

tions, being so desired by Merchant-Strangers, who of their own will elected to Trade under the Banner and Protection of the Ambassador and Consul of the King of *England*. And whilst in all Scales and Ports in these Parts, they had refuge to the Banner and Protection of the *English* Consuls : It seemeth that the *French* Ambassador by some means having anew gotten into their Capitulations, that the said Merchant-Strangers should come under their Banner, did endeavour to force them in all Scales to their Protection ; for which cause the Controversie was again renewed and referred to our *Divan*, or Great Council, which after a due Examination, and a new Election, permitted to the will and choice of the said Merchants, they again did desire to be under the Protection of the Ambassador of the King of *England*, notwithstanding it being made known to the Imperial Port, that as yet the *French* Ambassador did not desire to molest the said Merchants, nor to force them under his Protection, the first Article written in the *French* Capitulations, that the Merchant-Strangers should come under their Protection, was by the Imperial Command made void and annulled : And to the end, that according to the ancient Custom of the said Merchant-Strangers, they should always come under the Banner and Protection of the Ambassador or Consuls of *England* ; and that never hereafter they should be vexed or troubled by the *French* Ambassador in this Point, the said Ambassadors of his Majesty of *England* having desired that this Particular should be written, and Enrolled in this new Imperial Capitulation, this present Article was accordingly Inserted, and by the Imperial Authority it is Commanded, That for ever in time to come, Merchants of the said Princes,

Princes, in the mentioned Form, and according to this Imperial Command in their hand, shall always be under the Banner and Protection of the Ambassador and Consuls of *England*.

XXXIV.

There shall never be permitted or granted any Imperial Commands contrary to the Tenor and Articles of this Imperial Command or Capitulation, nor in prejudice of this our Peace and Amity, but in such occasion the cause shall first be certified to the Ambassador of *England* Residing at the Port; to the end that he may answer and object any scandalous Action, or other Pretence, which might infringe the Peace and League.

No Imperial Command contrary to these Articles to be granted.

XXXV.

The *English* Merchants of all the Merchandise which they shall bring or Transport in their Ships, having paid the Custom, they shall also pay the Right of Consulage to the *English* Ambassador or Consul.

For enforcing Consulage.

XXXVI.

The *English* Merchants, and all under their Banner, shall and may safely, throughout our Dominion, Trade, Buy, Sell, (except only Commodities prohibited) all sorts of Merchandise; likewise either by Land or Sea they may go and Traffick, or by the way of the River *Tanaïs* in *Moscovia*, or by *Russia*, and from thence may bring their Merchandize into our Empire; also to and from *Persia* they may go and Trade, and through all that part newly by us conquered, and through those Confines, without the impediment or molestation of any of

Permission to Trade in all Parts of the *Turks* Dominions.

Capitulations of Peace with the Ottoman Empire.

our Ministers ; and they shall pay the Custom, and other Duties of that Country, and nothing more.

XXXVII.

Three per Cent.
Custom.

The *English* Merchants, and all under their Banner, shall and may safely and freely Trade and Negotiate in *Aleppo, Cairo, Scio, Smyrna*, and in all Parts of our Dominions ; and according to our ancient Customs of all their Merchandize, they shall pay Three in the Hundred for Custom, and nothing more.

XXXVIII.

Vessels forced
by Weather.

The *English* Ships which shall come to this our City of *Constantinople*, if by fortune of Seas, or ill Weather they shall be forced to *Coffa*, or to such like Port, as long as the *English* will not unlade and sell their own Merchandise and Goods, no man shall enforce them nor give them any trouble or annoyance; but in all Places of danger, the *Caddees*, or other of our Ministers, shall always protect and defend the said *English* Ships, Men, and Goods, that no damage may come unto them, and with their Money may buy Victuals and other Necessaries ; and desiring also with their Money to hire Carts or Vessels, which before were not hired by any other, to Transport their Goods from Place to Place ; no man shall do them any hindrance or trouble whatsoever.

XXXIX.

Goods not
Landed, to
pay no Custom.

The *English* Nation, of all the Merchandise which in their Ships shall be brought to *Constantinople*, or to any other part of our Dominions, which they shall not desire of their own accord to Land or Sell, of such Goods there shall not be demanded or taken any Custom at arrival at any Port ; and having Landed

Landed their Merchandise, and paid their Customs and other Duties, they may quietly and safely depart without the molestation of any man.

XL.

In regard *English* Ships coming into our Dominions, do use oftentimes to touch in some part of *Africa*, and there take in Pilgrims and *Mahometan* Passengers to Transport them to *Alexandria*; and arriving at that Port, it seemeth that the Customers and other Officers do pretend to take Custom of all Goods which are found in their Ships, before the Merchants are willing to Land any; by occasion of which molestation they have forborn to Transport any Pilgrims. And in like manner, their Ships which come to *Constantinople*, and carry divers Merchandise, to Transport part thereof to other Places, the Customers and Farmers would enforce to Land, and pretend to take Custom thereof: Wherefore we do Command, That all the *English* Ships which with their Merchandise shall come into this Port of *Constantinople*, *Alexandria*, *Tripoli* of *Suria*, *Scanderoon*, or into any Port whatsoever of our Empire; according to use, they shall pay only Custom of such Goods, which with their own will they shall design to sell, and such other Merchandise as they discharge not from their Ships willingly, our Customer shall not demand, nor take Custom, nor other Duties, but they may Transport them whithersoever they please.

Idem.

XLI.

And if it shall happen that any of the said *English* Nation, or any under their Banner, shall commit Manlaughter, Bloodshed, or any other like Offence, or that there shall happen any Cause appertaining to

Matters of
Manlaughter.

to the Law or Justice, until the Ambassador or Consul shall be present to Examine the Cause, the Judges, nor other Ministers, shall not Decide nor give any Sentence, but such Controversie shall always be declared in the presence of the Ambassador or Consul, to the end that no man be Judged or Condemned contrary to the Law, and the Capitulations.

XLII.

Foreigners
Consulage to
be paid.

Whereas it is written in the Imperial Capitulations, that the Goods Landed out of any *English* Ship, which shall come into our Dominions, and pay Custom, ought also to pay the Duty of Consulage to the *English* Ambassador or Consul, it seemeth that divers *Mahometan* Merchants, *Sciots*, and other Merchants in Peace and Amity with this Imperial Port, and other Merchant-Strangers, do deny and refuse to pay the Right of Consulage; wherefore it is Commanded, That all the Merchandise which shall be Laden upon their Ships, and have paid Custom, be they Goods of whomsoever, according to ancient Imperial Capitulations, they shall pay the Right of Consulage to the Ambassador or Consul of *England* without any contradiction.

XLIII.

Silk to pay the
Custom as
Venetians and
French.

That *English* Merchants which Trade at *Aleppo*, and those under their Banner, of all the Silk which they shall buy, and Lade upon their Ships, shall pay the Custom and other Duties, as the *French* and *Venetian* Merchants do pay, and not one Asper or Farthing more.

XLIV.

As the Ambassadors of the King of *England*,
which

which shall be Resident in this Imperial Court, are the Representatives and Commissioners of the Person of his Majesty, so the Interpreters are to be esteemed the Commissioners of the Ambassador: therefore for such matter as the Interpreters shall Translate or Speak in the Name, or by the Order of the Ambassador, it being found that that which they have Translated be according to the Will and Order of the Ambassador or Consul, they shall be always free from any Imputation or Punishment: And in case they shall commit any Offence, our Ministers shall not put any of the said Interpreters in Prison, nor beat them without knowledge of the Ambassador or Consul. In case any of the *English* Interpreters shall die, if he be an *Englishman*, all his Goods or Faculites shall be possessed by the Ambassador or Consul of *England*; but if he shall be a Subject of our Dominion, they shall be consigned to his next Heir, and having no Heir, they shall be taken into our Exchequer. And as in this Particular, so also in all other the above-mentioned Articles and Priviledges granted by our Forefathers of happy memory, it is expressly Commanded and Ordained, That all our Slaves shall ever obey and observe this Imperial Capitulation, and that the Peace and Amity shall be respected and maintained, without any violation whatsoever.

Interpreters to have Licence to speak the sence of the Ambassador, or Consul.

Druggermen dying, &c.

XLV.

Since which time of our Forefathers of famous memory, and the grant of these above-mentioned Capitulations, Articles and Establishment of Peace and Amity, the said King of *England* having in the time of our Grandfather of happy memory, *Sultan Mahomet Han*, sent one his well desired Ambassador,

No Command valid against the Capitulations.

dor, a Person of Quality, to this high Port, to Confirm this Peace, Articles and Capitulations: which Ambassador did declare, That oftentimes there were to divers Persons Imperial Commands granted, surreptitiously procured contrary to the Tenor and Articles of the Imperial Capitulations; which being without our knowledge presented to our Judges and Governors, and the Dates of such Commands being more fresh than those of our Imperial Capitulations, the Judges and Ministers do put in Execution the private Commands prejudicial and contrary to these Imperial. To the end therefore, that for the time to come, such Commands shall not be accepted of any, but that the Imperial Capitulations might be always observed and maintained, according to the sincere meaning; the said Ambassador demonstrating the sincerity of his Majesty and his Request herein to our Imperial knowledge, which was most acceptable: In conformity thereunto it was expressly ordered, That all such Commands which already have been, or shall hereafter be granted, which are or shall be repugnant to the Tenor of this Imperial Capitulation, whatsoever such Commands shall be, when Presented before our Caddees or other Ministers, should never be excepted or put into Execution, but that always the Tenor of the Imperial Capitulations shall be observed: And whosoever shall Present such Command contrary to the Capitulations, they shall be taken from him, and in no wise be of any force or validity. In which time also on the Part of our said Grandfather, all the above-written Privileges, Articles and Capitulations, were Accepted and Ratified, and the Peace, Amity, and good Correspondence anciently Contracted, was anew of him Confirmed and Established.

XLVI. In

Such Com-
mands to be
taken away.

XLVI.

In the time of the Inauguration of *Sultan Osman Han* in the Imperial and high Throne, the King of *England* did again send a famous and Noble Gentleman, his Ambassador, with Letters and Presents, which were most acceptable. And the said Ambassador desiring in the Name of his King and Lord, that the ancient Capitulation, Articles, and Contracts, granted in the days of our Forefathers, should be of him renewed and confirmed, and the ancient Peace and Amity anew fortified and established, which his Request was to the said *Sultan Osman* most acceptable. And the ancient Capitulations, Articles, Priviledges, herein written and confirmed, and the long since contracted Peace and Amity by him promised and accepted.

XLVII.

After whom in like manner, in the days of *Sultan Osman Han*, the King of *England* having again sent unto this high Port his Ambassador, the Excellent and Honourable Sir *Thomas Roe*, Knight, with his Letters and Presents, which were most acceptable ; and proffering in the Name of the King his Lord, all good Terms of Friendship and good Correspondence : And desiring that the ancient Capitulations, and all the Articles from his Ancestors, and from himself formerly granted to the *English* Nation, might be anew confirmed, and the Peace and League long since between both Parties contracted and ratified ; and that some other Articles very necessary might be added to the Imperial Capitulations, and divers others already granted might be renewed, amended, and in a better Form

F f

Explain-

explained, which his Request and Demand was very acceptable unto him ; and in conformity thereunto, the ancient Imperial Capitulations, and all the Articles and other Priviledges in them often confirmed, and the Peace, Amity, and good Correspondence contracted in the times of his Ancestors, Grandfather and Father, and himself confirmed, were again by *Sultan Osman* then ratified, established, promised and accepted, whereupon by him there was expresse Command given, that for the time to come the Tenor of his renewed Capitulations should be of every one observed, and that all men should be careful and respectful to the said Peace and Friendship established and contracted on both Parts, and that no man should presume to violate, or to do any Act contrary thereunto, which Ambassador did often declare that the Caddees, and other of our Ministers, in many Places and Provinces, contrary to the Imperial Capitulations and Will of the Imperial Majesty, have imposed and laid divers Taxes, Burdens, and Moneys upon the said *Englisb* Nation, and those under their Banner, for which cause as it is above declared, it being found necessary to make additions of some new Articles in the said Imperial Capitulation, of which the said Ambassador made declaration in Writing, and presented the same to the Imperial Presence : The said *Sultan Osman Han* with his Imperial Hand and Seal did presently give expresse order and command, That in the time to come all those Articles and Priviledges which were already in the Imperial Capitulations, and those Articles which now are therein by our order newly added, shall be of all our Subjects and Slaves duly obeyed and observed, according to the sincere meaning of this our Imperial Capitulations.

XLVIII.

In as much as it is publickly known, That certain Pyrates of *Tunis* and *Algier*, contrary to our Imperial Capitulations, Mind and Will, do take and rob in the Seas the Ships, Merchandise, and Men, Subjects to his Majesty of *England*, and of other Kings and States in League with this our Imperial Port, to the great Damage and Injury of the said *English* Nation, We do Command, and by these Presents we do Ordain, That several Imperial Commands be given for the entire restitution of all Goods and Merchandise to the *English* Nation so taken away: And that all such *English* as have been taken and made Slaves, or imprisoned by the said Pyrates, shall be immediately set free. And after the Date of this our Imperial Capitulations, if it shall be known that the said Pyrates of *Tunis* and *Algier* shall rob them again, and shall use and continue their outrages, and will not restore their Goods and Men, We do Command that the said Pyrates be not received into any Port of our Dominions, especially into the Scales of *Tunis*, *Algier*, *Moudon*, or *Coron*. Our Beglerbeks, and other Ministers, shall not suffer them to enter, nor harbour, nor receive them, but the Beglerbeks, Caddees or other Ministers, shall persecute, banish, and punish them.

Against the
Pirates of
Barbary.

XLIX.

Being informed that in our Dominions many of our Customers and other Officers in *Aleppo*, contrary to the Imperial Capitulations, under colour of taking Custom and Rest upon Silk of the *English* Merchants, have violently taken from the said Merchants a great Sum of Money. And whereas in the

No Rest to be
taken.

Imperial Capitulations it is written, that for Silk which the *English* shall buy in *Aleppo*, they shall pay as the *French* and *Venetian* Merchants do, and no more ; Notwithstanding the said Customs, besides the Two and half *per cent.* for Custom and Rest, have taken from that Nation a great Sum of Money lately under Name of Rest, wherefore we Command that this Business shall be examined, and that the said Money be restored back, and for the time to come, the ancient Custom may be kept ; and that this Nation shall only pay as the *French* and *Venetian* do ; and that never be taken one Asper by Name of such Imposition.

L.

Whereas the *English* Merchants Resident in *Galata*, ordinarily buy divers Goods and Merchandise before they can Lade or send them away upon their Ships, and do pay unto the Customs the Custom of the said Goods, receiving a Bill, or Acquittance to have paid the same, and after carry the same Merchandise to their own Warehouses : In the mean time before they can Load and send away the said Goods ; it happens, that either the Customer dies, or is removed from his Charge, and the new Customs will not accept of the said Acquittances, but pretend another Custom, troubling and molesting of them many ways. Wherefore We do Command, That of all the Merchandise which they shall buy, it appearing really that he hath paid once his Custom, the Customer shall accept of the said Acquittances, and shall not demand of the Merchant a second Custom.

The Discharge
of one Customer
a sufficient Acquittance
against him that suc-
ceeds.

LI.

It being usual to buy in *Angora*, Chamblets, Mohairs,

hairs, Silks, and other sorts of Merchandise which they Transport to *Constantinople*, and other Places of our Dominions, and pay their Customs, taking Acquittances for the same, and so put the Goods into their own Warehouses; And after being desirous to Ship them away, the Customers do demand again the Custom, Therefore for the time to come, when the said Merchants shall desire to Lade such Goods, and it be true that they have already paid their Custom of such Merchandise, they shall not demand any second or new Customs, Provided that the said Merchants do not mingle their Goods; which have not paid Custom with those which have already paid Custom.

No Custom to be paid twice.

LII.

The *English* Merchants of all the Merchandise which they shall bring into our Dominions, and of the Merchandise which they carry out of our Dominions, as Silk, Chamblets, and other Goods, having paid the Custom, and not sold the Goods unto another; And being afterwards to Ship it away for *Scio*, *Smyrna*, or any other Scale, and the said Goods there arriving, the Customers and Officers shall always accept of their Acquittances, which they have in their hands, and shall not take other Custom of their Merchandise.

LIII.

The *English* Merchants of all the Commodities which they shall bring to *Constantinople*, or to any other Port of our Dominions, and of all such as they shall Transport, the *Mestragi* of *Galata* and *Constantinople* shall take their *Mestaria* or Brokidge according to the ancient Canon and Ufance, that

Mestaria to be paid at *Galata*.

No Duties to
be raised a-
bove the ac-
customed
Uſance.

is of ſuch Merchandife as of old Cuſtom was wont to pay it, of ſuch they ſhall onely take *Mefuria*, but of ſuch Merchandife as was not anciently accuſtomed to pay it, ſhall not be taken *Mefuria* contrary to the ancient Canon. Farther upon the *Engliſh* Merchandife, there ſhall not be made or laid any Impoſitions or other Duties, nor from the ſaid Nation ſhall not be taken one Aſper more, which ſhall be contrary to the ancient Canon and accuſtomed Uſance.

LIV.

The *Engliſh* Nation ſhall and may freely come into all the Ports of our Dominions to Negotiate and bring in Cloth, Kerſie, Spice, Tin, Lead, and all other Merchandife, and no man ſhall do them any hindrance or moleſtation. In like manner, except only Goods prohibited, they ſhall and may buy, and Export all ſort of Merchandife without the prohibition or moleſtation of any man; and the Cuſtomers and other Officers, the ſaid Nation having paid their Cuſtom according to this Imperial Capitulation, and the ancient Uſe, ſhall not demand of them any thing more. In the time of the happy memory of my Uncle *Sultan Murat Han*, the King of *England* ſent his Ambaſſador Sir *Sackville Crow* Baronet, with his Preſent and Letter, which was received in good part; and the time of his Embaſſie being expired, Sir *Thomas Bendifh* arrived to Reſide at the Port, with his Preſent and courteous Letter, the which was in like manner well accepted; And the ſaid Ambaſſador having tendered the Imperial Capitulations formerly granted, that according to the ancient Canon they might be renewed; It is hereby again commanded, that all the
Points,

Points, and particular Articles therein, be observed and maintained.

LV.

And because contrary to the sence and tenor of them, the Ships of the *English* Merchants before they arrive at the Scale, several Officers did go upon them, and violently force out of the Ships the Goods of the Merchants, taking away the choice of them without agreeing for the Price, or making any Account with the Owners.

No Goods to be forced violently out of the Ships.

LVI.

And farthermore the said Merchants having once payed the Custom for their Goods at the Custom-house, and being desirous to Transport the same Goods into another Scale, the Customers did hinder and detain them, until he received another second Custom for them.

Abuses to be redressed in Customs.

LVII.

And whereas in the Imperial Capitulations it is expressed, That in all the Differences and Suits with the *English* Nation our Magistrates are not to hear nor decide the Cause, unless their Ambassador or Consul be there present. Of late our Judges without the knowledge of their Ambassador have Condemned, Imprisoned, and taken Presents from the *English* Nation, which is a great Wrong done to them.

In hearing of Law-Suits.

LVIII.

Also whereas in the Imperial Capitulations, it is ordered, That the Customers shall not take any Custom for such Gold and Dollars as by the *English* Nation shall be brought in, or carried out of our Imperial Dominions, and that the Merchants are to give

No Customs upon Money.

Raw Silks.

A greater
number of
Guardians not
to be put A-
board our
Ships then
usual.

give onely Three *per cent.* for the Custom of their Goods, and no more ; the Customers notwithstanding do pretend to take Custom for their Chequeens and Dollars ; and to take more Custom then their due for their Raw Silks, which they buy ; and of the Goods which they Land at *Scandaroon* to carry up to *Aleppo*, they demand Six *per cent.* which unjust Exactions have been heretofore rectified and redressed with an expresse Hatterheriffe. But being now again informed that the said *Englisb* Merchants are as before wronged, by reason that the Customers do value and estimate the Goods of the *Englisb* Merchants more then they are worth ; and though the Customers are to have but Three *per cent.* yet by an over valuation of the Goods they take from them Six *per cent.* And the Servants of the Custom-house, under pretence of small Duties and Expences, wrongfully take great Sums of Money from them ; And a greater number of Waiters being put A-board the *Englisb* Ships then heretofore have been used, the Charges thereof are a great Expence to the Merchants and Masters of Ships that sustain it. To all which we being requested for a Redress, do Command, That when the Customers do set great values upon their Goods, the Merchant offering to them according to the Rate of Three *per cent. in specie*, of the same Goods, the Customers shall not refuse, but accept the same. And being desired by the *Englisb* Ambassador that the above specified Abuses and Injuries should be rectified, We do Command, That contrary to the Imperial Capitulations the *Englisb* Merchants be neither in the foregoing Particulars, nor in any other manner troubled, nor their Priviledges unjustly infringed.

The Ambassador of the King of Great Britain Sir *Heneage Finch* Knight, Earl of *Winchelsea*, Viscount *Maidston*, Baron *Fitzherbert* of *Eastwell*, Lord of the Royal Mannor of *Wye*, and Lieutenant of the County of *Kent* and City of *Canterbury*, whose end may it terminate with bliss; did arrive with his Presents, and with all sincerity and affection was accompanied with Letters amply expressing the good Friendship and Correspondence; and that abovesaid Ambassador hath Presented the Capitulations that they might be renewed according to the Canon. And that some Articles of great consideration which were before in the Capitulations, may be more punctually observed, the said Ambassador did desire that they might be again renewed, and more plainly expressed in the Imperial Capitulations. His Request was graciously accepted; one of which Points is this.

LIX.

That the Gallies, and other Vessels of the Imperial Fleet, departing the Dominions of the Grand Signor, and meeting on the Sea with the Ships of *England*, they shall in no wise give them molestation, nor detain them in their Voyage, nor take from them any thing whatsoever, but ought always to shew to one another good Friendship, without doing the least Damage. And it being thus declared in the Imperial Capitulations, Beyes and Captains, who Sail upon the Seas, and those of *Algier*, *Tunis*, and *Tripoli*, meeting *English* Ships which Sail from one Port to another, ought not to take from them any Money or Goods, upon pretence that their Ships Transport Enemies Goods, and thereupon Search them, and with this colour molest, and

The Pyrates
of *Barbary* not
to Search our
Ships for
Strangers
Goods.

G g

detain

detain them from prosecution of their Voyage, so that only at the Mouth of the Castles, and in the Ports where the Searchers belonging to the Customs usually come Aboard, their Goods shall be Examined, but on the Sea they shall be liable to no farther Search or Inquisition.

LX.

Customs being paid, the Customer not to deny the Telschere.

And contrary to the Articles of the Imperial Capitulations, the Goods of the *English* Nation ought to receive no molestation, having once paid the Custom, nor shall the Customers deny to give the Telschere, or Certificate, that the Custom is paid for; upon complaint hereof We strictly Command, that the aforesaid Customers do not defer immediately upon demand to give the Telschere or Certificate.

LXI.

A second Custom not to be demanded.

And the Custom being once paid of any sort of Merchandise not sold in that Port, which is to be Transported to another Scale, entire credit shall be given to the Telschere, and a second Custom shall not be so much as farther pretended.

LXII.

All Goods in *English* Ships, as well as those of the Growth and Manufacture of *England*, not to pay above Three per cent. Custom.

In *Aleppo*, *Cairo*, and other Parts of the Imperial Dominions, the *English* Merchants and their Servants may freely and frankly Trade, and for all their Goods and Merchandise pay only Three per Cent. according to the former Custom, and the Imperial Capitulations, whether the Goods be brought by Sea or by Land. And though the Customers and Farmers, upon the arrival of the Goods at the Scale, to give molestation and trouble to the *English* Nation, pretend that the Goods of the Growth and Manufacture

facture of *England* ought only to pay Three per Cent. but Goods brought from *Venice* and other Places, are obliged to pay more, and with this colour and pretence occasion suits, and troubles to the *English*; wherefore in this Point let the Imperial Capitulations be observed as in former Times, and our Officers ought in no wise to permit the contrary hereunto.

LXIII.

An *Englishman* becoming indebted, or having made himself Pledge for another, who is either failed, or run away; the Debt ought to be demanded of the Debtor; And if the Creditor have no Hoger that such an one according to the Law hath made himself Pledge and Security, the Debt shall not be demanded of the other, which Article is already declared in the Capitulations.

Without Pledge or Suretship one *Englishman* not to answer for another.

LXIV.

Whereas sometimes an *Englishman* living in a Country, to free himself from a Debt, draws a Bill of Exchange upon another *Englishman* who hath no Effects of his in his hands; and the Person to whom the Money is payable being a Man of Power and Authority, brings his Bill, and contrary to the Law, and the Capitulations, demands and forces payment of the Bill. In which case the Merchant accepting the Bill, shall be obliged to satisfy it, but not accepting of it, he shall be liable to no farther trouble.

Bill of Exchange not accepted, cannot be enforced.

LXV.

And the Interpreters of the Ambassador of *England* being free by the Articles declared in the ancient Capitulations, of all *Angaria*, or Taxes; by virtue also of this present Article, when any of the

Druggermen free of all *Angaria*, and the *Cassam*.

Capitulations of Peace with the Ottoman Empire.

said Interpreters die, their Goods or Estate shall not be subject to the Custom, but shall be divided amongst the Creditors, and Heirs.

LXVI.

Ten of the
Ambassadors
Servants free
of Harach.

And the King of *England* being a true Friend to this our happy Port, To his Ambassador who Resides here, ten Servants, of what Nation soever, shall be allowed free from Harach or Taxes, or molestation of any man.

LXVII.

The Estate of
Principals in
the hand of a
Renegade, to
be delivered
to the Amba-
sador or Con-
sul,

An *Englishman* turning *Mahometan*, and having Goods or Estate in his hands belonging to his *English* Principals, those Goods or Estate shall be delivered into the hands of the Ambassador or Consul, that they may convey, and make them good to the true Owners.

The late Ambassador of the King of *England* who Resided in our high Port being dead, Sir *John Finch* Knight, a prudent Man, and one of the Council of Foreign Trade, is appointed to succeed him in the Charge of the Embassy : And notice being given to our Noble Presence, that the said Ambassador was arrived with the Royal Letters and the usual Presents, they were acceptable to us. And the aforesaid Ambassador having made known to us, that in the Capitulations already granted, there were several Expressions so full of ambiguity, that they needed further Explication ; and to this end having requested of us, in the behalf of the King his Master, that the Capitulations might be renewed, and that such Explications and additional Articles as were necessary might be added to them ; the
Request

Request of the said Ambassador being made known to us, we have consented to it : And we do Command, and be it Commanded, That the Additions desired be added to the former Capitulations ; of which one is,

I.

THE *Nisani Sheriff* (that is) the Imperial Command, upon which was put the *Hat-ter-sheriff* (that is) the Hand of the Emperor *Sultan Ibrahim Han* (whose Soul rest in Glory) in the Year 1053. which Command declares, that anciently the *English* Ships that came to *Scanderoon*, did pay for every Cloth of *London* for the Custom of *Scanderoon* fourty *Para's* ; and for a Piece of Kersey six *Para's* ; and for every Bundle of Cony-Skins six *Para's* ; and for Tin and Lead, for every Quintal of *Damascus* or *Cantaro* fifty seven *Para's* and a half for Custom ; which Goods afterwards arriving in *Aleppo* did pay for the Custom of *Aleppo*, for every Cloth of *London* eight *Para's*, for a Piece of Kersey eight *Para's* and one sixth, for every Bundle of Cony-Skins eight *Para's* and one sixth, for Tin and Lead for every Battman of *Aleppo* one *Para* for Custom. And the said Nation buying Goods and Transporting them, for what they bought in *Aleppo* and Exported, did pay for raw Cloth of Linen or Chilis, for Cordovans, for *Hora sani Hindi*, for every Bale of each two Dollars and a half ; and for every Bale of Cotton-Yarn a Dollar and a quarter, and for a Bale of Gauls a quarter of a Dollar ; and for every Bale of Silk, ten *Osmani* (of which fourteen makes a Dollar) for Rhubarb, and such like Drugs, three Dollars for every hundred, according to the estimate of the chief in that Art. The said Goods carried

carried to *Scanderoon*, and there laden upon their Ships, did pay for Raw Linen Cloth, or Chilis, for Cordovans, each a Dollar and a half the Bale for the Custom of *Scanderoon*; for *Hora Jani Hindi* and Cotton-Yarn, three quarters of a Dollar the Bale, for a Bale of Gauls one quarter of a Dollar, for Rhubarb and like Drugs, according to the esteem of Druggists, three quarters of a Dollar the Bale; and nothing more is to be, or ought to be paid, according to the tenor of this sublime Command: And if the *Tefterdar* shall give any Command contrary to this, let it not be obeyed, but be esteemed invalid: But let every thing be observed conformable to this Imperial Command and Imperial Capitulations.

II.

The *English* Merchants for all Goods Exported or Imported paid Three *per cent.* only, and never ought to pay an Asper more, it being so specified in the Imperial Capitulations: But there having in the Scales of *Constantinople* and *Galata* arose Contrasts and Differences with the Customers concerning the *Londra's*, or Cloth brought from *London*, and other sorts of Cloth of the *English* Manufacture, they shall pay according to the accustomed and ancient Canon, and as they have always hitherto paid, that is to say of full Aspers, or short Money, of which Aspers eighty make a Piece-of-eight, and seventy a *Lion* Dollar, Aspers one hundred forty and four, for every Piece of Cloth of *English* fabrick, whether fine or coarse, and of whatsoever Price, and the Customer shall not demand more, nor ought not to take more: But the Cloth that comes from *Holland* and other Countries, *viz. Londrini*, Says and Scarlets, and other sorts of Cloth not *English* fabrick,

brick, shall pay for the future that which hitherto has been the accustomed Duty. And at the Scale of *Smyrna* shall be paid according to the ancient Custom and Use of full Aspers, or short Money, of which Aspers eighty make a Piece-of-eight, and seventy a *Lion* Dollar; Aspers one hundred and twenty for every Piece of *English* Cloth, whether fine or coarse, whether *Londra* or not, provided that it be of the fabrick of *England*: And the Customer shall not demand, nor ought not to take, one Asper more, and let no Innovation be made upon the Custom of the said Cloths.

III.

The Capitulations being known, which commands, that the *English* having a Controversie, the import of which is above four thousand Aspers, that the Cause shall be brought to the *Porta*, and tried no where else; if at any time the Caddi or Ministers of any Place would detain any Merchant, or hinder any *Englishman* that comes upon a Ship, from prosecuting their Voyage by reason of any Money imposed upon them, or pretended from them, if the Consul of the Place will be Security to answer the Pretensions made before the *Porta*, such Persons shall be free and at liberty to prosecute their Voyage; and they that pretend any thing of them, let them come to the *Divan* for to be judged, and let the Ambassador defend them from those that come to demand; but if the Consul will not be Security, then let the Judge of the Place give Sentence.

IV.

In *Constantinople*, *Scanderoon*, *Smyrna*, and *Cyprus*, and all other Ports and Scales of my Empire, whatsoever

Capitulations of Peace with the Ottoman Empire.

soever *English* Ships shall arrive, they shall pay three hundred Aspers for Anchorage or Port Charges, and there shall not, nor ought not to be taken or paid one Asper more.

V.

An *Englishman* coming with Effects, and turning *Mussulman*, the Ambassador or Consul knowing that such Effects do belong to other *English* Merchants, let all the Money and other Effects be taken out of the hand of such a *Mussulman*, and consigned to the Ambassador; to the end that he may transmit them to whom they do belong, that by this means no Goods of other men may remain in the hands of such a *Mussulman*, and let not this be hindered by the means of any Caddi, or other Judges or Ministers.

VI.

Any of the aforesaid *English* Nation buying Chamblets, Moehairs, or Grogran-Yarn in *Angora* or *Begbazar*, if they will Export the said Goods from those Places, after having paid Three *per cent.* for the Custom of such Goods they Export, let them not be molested for *Skrax Batch*, that is, for Passage or Exportation; and there neither shall nor ought to be taken upon the account of any such Demand one Asper.

VII.

Any *English* Merchant being to receive from his Debtor any Sum of Money, if the said Debt be recovered by the means and help of an Assistant or *Chiaus*, he that recovers the Debt shall pay no more than what is paid to other Caddi's, which is two Aspers only, and not one Asper more.

VIII. There

VIII.

There passing good Correspondence between Us and the King of *England* ; out of regard of this good Friendship, We do grant that two Ships lading of Figs, Raisins or Currants may be yearly Exported for the use of his Majesty's Kitchin, if there be not a dearth and scarcity of such Fruit in the Country ; which we allow to be bought with their Money that Export them at the Scale of *Smyrna*, *Salonica*, or any other Scale or Port of our *Empire*, paying Three *per cent.* Custom, which being paid, no person shall give to them that lade them, any molestation or hindrance.

IX.

It being represented to Us, that the *English* have been accustomed hitherto to pay no Custom nor *Mezan* for any Silk they bought in *Smyrna* (that of *Prussia* and *Constantinople* excepted) *viz.* for the Silk of *Georgia*, *Persia*, or *Armenia* ; if really there is any such Use and Custom, and the thing is not of prejudice to the Empire, let there in *Smyrna* for the future be demanded neither Custom nor *Mezan* for the said Silk, but to the *English* Merchants let all kindness be used and shown. And the Ambassador having made instance to Us that the foregoing Articles might be put into the Capitulations, his Request is granted, and conformable to the former Imperial Sign and Capitulation, let now in conformity of what was passed, and of my Imperial Command, be renewed and granted this present Imperial Capitulation : which We command so long as *Charles* the Second King of *England* (whose end may it terminate in happiness) maintains good Friendship and Correspondence with Us, according to what has been

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Capitulations of Peace with the Ottoman Empire.

maintained with our Ancestors, and to which We on our Part are not wanting, with all tenderness entertaining this Friendship.

And we do Swear and Promise by Him that has Created the Heaven and the Earth, and all the Creatures ; by the Creator the one God We do Promise, that nothing shall be done contrary to this Imperial Capitulation ; and accordingly every one is to obey our Imperial Sign.

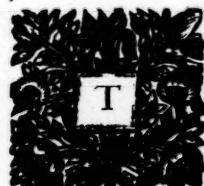
*Given in the middle of the Moon Gemaziel Akir
1086. in the Imperial City of Adrianople,
being in the Month of September 1675.*

The Grand Signor writes above with his own Hand as follows.

*Let every thing be observed in Conformity to Our
IMPERIAL COMMAND, and contrary
to it let nothing be done.*

A Treaty Marine between the Most Serene and Mighty Prince Charles the Second, by the Grace of God King of England, Scotland, France and Ireland, Defender of the Faith, &c. and the Most Serene and Mighty Prince Lewis XIV. the Most Christian King, Concluded at St. Germain in Laye, the Twenty fourth day of February 1676.

Artic. I.



That it shall and may be lawful for all and every the Subjects of the Most Serene and Mighty Prince the King of Great Britain afore said, with all Freedom and Safety to Sail, Trade, and Exercise any manner of Traffick in all those Kingdoms, Countreys, and Estates, which are, or at any time hereafter shall be in Peace, Amity, or Neutrality with his said Majesty : So that they shall not be any ways hindred or molested in their Navigation or Trade by the Military Forces, nor by the Ships of War, or any other kind of Vessels whatsoever, belonging either to the Most Christian King, or to his Subjects, upon occasion or pretence of any Hostility or Difference which now is, or shall hereafter happen between the said Most Christian King, and any Princes or People whatsoever, in Peace, Amity, or Neutrality with the said King of Great Britain. And likewise, that it shall and may be lawful for all and every the Subjects of the said Most Christian King, with all Freedom and Safety to Sail, Trade, and Ex-

English to have freedom of Trade to all Places in Friendship or Neutrality with England.

The like to the French Subjects.

ertise any manner of Traffick in all those Kingdoms, Countries, and Estates, which are, or at any time hereafter shall be in Peace, Amity, or Neutrality with the aforesaid Most Christian King : So that they shall not be any ways hindred or molested in their Navigation or Trade, by the Military Forces, nor by the Ships of War, or any other kind of Vessels whatsoever, belonging either to the King of *Great Britain* above mentioned, or to his Subjects, upon occasion or pretence of any Hostility or Difference which now is, or shall hereafter happen between his said Majesty and any Princes or People whatsoever, in Peace, Amity, or Neutrality with the said Most Christian King.

II.

To extend to
all Commodi-
ties but Con-
traband.

Nor shall this Freedom of Navigation and Commerce be Infringed by occasion or cause of any War, in any kind of Merchandises, but shall extend to all Commodities which shall be carried in time of Peace ; those only excepted which follow in the next Article, and are comprehended under the name of Contraband.

III.

What Goods
are Contra-
band.

Under this name of Contraband, or prohibited Merchandises, shall be comprehended only Arms, Pieces of Ordnance, with all Implements belonging to them, Fireballs, Powder, Match, Bullets, Pikes, Swords, Lances, Spears, Halberds, Guns, Mortar-Pieces, Petards, Granadoes, Musquet-Rests, Bandeliers, Salt-petre, Musquets, Musquet-Shot, Helmets, Corslets, Breastplates, Coats of Mail, and the like kind of Armature, Soldiers, Horses, and all things necessary for the Furniture of Horses, Holsters, Belts,

Belts, and all other Warlike Instruments whatsoever.

IV.

These Merchandises following shall not be reckoned among prohibited Goods, (*viz.*) all kind of Cloth, and all other Manufactures woven of any kind of Wooll, Flax, Silk, Cotton, or any other Material; all sorts of Clothing and Vestments, together with the Materials whereof they use to be made; Gold and Silver, as well Coyned as not Coyned, Tin, Iron, Lead, Copper, and Coals, as also Wheat and Barley, and all other kind of Corn or Pulse, Tobacco, and all kind of Spices, salted and smoked Flesh, salted and dried Fish, Cheese, Butter, Beer, Oyls, Wines, Sugars, and all sort of Salt, and in general all Provision which serves for the nourishment and sustenance of Life; Likewise all kind of Cotton, Hemp, Flax and Pitch, Ropes, Sails and Anchors, also Masts and Planks, Boards and Beams, of what sort of Wood soever, and all other Materials requisite for the building or repairing Ships, but they shall be wholly reputed amongst Free Goods, even as well as all other Wares and Commodities which are not comprehended in the next precedent Article; so that the same may be freely Transported and carried by the Subjects of the Most Serene King of *Great Britain*, not only from one Neutral Place to another Neutral Place; or from a Neutral Port or Place, to a Place in Hostility with the Most Christian King, or from a Place in Hostility with him to a Neutral Place; but also from one Place in Enmity with the Most Christian King, to another Port or Place in Enmity with him; Be it that such Ports or Places do belong to the same Prince or State,

What Goods shall not be looked upon as Contraband

Freedom of Trade not only from one Place in Neutrality to another, or from a Neutral Place to one in Enmity, but also from one Port in

Enmity to
another like-
wise in Enmi-
ty with either
of the Parties;

State, or to several Princes or States with whom the Most Christian King shall happen to be in War: And in like manner, that the same may be freely Transported by the Subjects of the Most Christian King, not only from one Neutral Place to another Neutral Place, or from a Neutral Port or Place to a Place in Hostility with the King of *Great Britain*, or from a Place in Hostility with him, to a Neutral Place; But also from one Place in Enmity with the King of *Great Britain*, to another Port or Place in Enmity with him; Be it that such Ports or Places do belong to the same Prince or State, or to several Princes or States with whom the King of *Great Britain* shall happen to be in War, except only Towns or Places Besieged, Environed, or Invested, in *French, Blocques ou Investies*.

Except Places
Besieged or
Invested.

V.

Ships coming
into any Port,
and intending
to go further,
only to shew
their Passports

And that all manner of Differences and Contentions on both Sides, by Sea and Land, may from henceforth cease and be utterly extinguished; It is Agreed, That all kind of Ships and Vessels whatsoever belonging to the Subjects of his said Majesty of *Great Britain*, entring or being entred into any Road or Port under the Obedience of the Most Christian King, and purposing to pass from thence, shall be only obliged to shew unto the Officers acting in the Ports of the said Most Christian King, or to the Captains of the Most Christian Kings Ships, or of Private Men of War (if any happen there to be) their Passport, commonly called a Sea-Brief, (the Form whereof is added at the end of these Articles;) nor shall any Money, or any thing else be exacted from them under that pretence: But if any Ship belonging to the Subjects of his Majesty of

Great

Great Britain, shall in the open Sea or elsewhere, out of the Dominions of the said Most Christian King, meet the Ships of War of the said Most Christian King, or Private Men of War of his Subjects, the said Ships of the Most Christian King, shall keep at a convenient distance, and only send out their Boat, and it shall be lawful for them only with two or three Men to go on Board the Ships and Vessels of the Subjects of his Majesty of *Great Britain*, that the Passport (or Sea-Brief) of the Propriety thereof, (according to the Form hereafter specified) may be shewn to them by the Captain or Master of such Ship or Vessel belonging to the Subjects of his Majesty of *Great Britain* : And the Ship which shall shew the same shall freely pass ; and it shall not be lawful to molest, search, detain or divert the same from her intended Voyage : And all the Subjects of the Most Christian King shall enjoy in all things the same Liberty and Immunity, they in like manner shewing their Passport (or Sea-Brief) made according to the Form prescribed at the latter end of this Treaty.

Ships how to be visited at Sea-

VI.

But if any Ship or Vessel belonging to the *English*, or other Subjects of his Majesty of *Great Britain*, shall be met by any Man of War making into any Port in Enmity with the Most Christian King ; or on the other Side, if any Ship belonging to the Most Christian King, or others Subjects of the said Most Christian King, shall be met in her Way making into any Port under the Obedience of the Enemies of his said Majesty of *Great Britain*, such Ship shall shew not only a Passport (or Sea-Brief) according to the Form hereunder prescribed, wherewith she

Ships going to Places in Enmity with the other Party, to shew their Cocquets besides their Passports.

is

is to be furnished, but also her Cocquets, expressing the Contents of the Goods on Board, given in the usual Form by the Officers of the Customs in the Port from whence she came, whereby it may be known whether she is laden with any Merchandises prohibited by the third Article of this Treaty.

VII.

If prohibited
Goods be
found in a
Ship, what to
be done.

But if by the shewing the abovesaid Cocquets expressing the Contents of the Goods on Board, given in the usual Form by the Officers of the Customs in the Port from whence she came (concerning the shewing whereof it is above Agreed) either Party shall discover any kind of Merchandises which in the third Article of this Treaty are declared to be Contraband, or Prohibited, consigned to any Port under the Obedience of their Enemies, it shall not be lawful to open the Hatches of such Ship in which the same shall happen to be found, whether she belongs to the Subjects of his Majesty of *Great Britain*, or of the Most Christian King; nor to unlock or break open the Chests, Mails, Packs, or Casks in the same; nor to convey away any the least part of the Merchandises, before the whole be first Landed in the presence of the Officers of the Admiralty, and Inventaried; neither shall it be any ways lawful to Sell; Exchange, or otherwise to Alienate the same, until such Prohibited Goods are rightly and lawfully proceeded against; and that the Judges of the Admiralty have by their respective Sentences Confiscated the same: Provided always, that as well the Ship it self, as the rest of the Commodities found in the same, which by this Treaty are to be reputed Free, shall not upon pretence of their being Infected by such Prohibited Goods,

The Ship and
the other
Goods not to
be forfeited.

Goods, be detained, much less confiscated for lawful Prize ; but if not the whole, but a part only of the Lading consists of Contraband or Prohibited Commodities, and that the Master of the Ship shall be willing and ready to deliver them to the Captor who seized the same ; in that case the Captor shall not compel the Ship to go out of her Course to any Port he thinks fit, but shall forthwith dismiss her, and upon no account hinder her from freely prosecuting her designed Voyage.

VIII.

It is further Agreed, That whatsoever shall be found Laden by the Subjects of his Majesty of *Great Britain*, upon any Ship whatsoever belonging to the Enemies of the most Christian King, although the same be not of the quality of Contraband Goods, may be Confiscated : But on the contrary, all that which shall be found in the Ships belonging to the Subjects of his Majesty of *Great Britain*, shall be accounted clear and free, although the whole Lading, or any part thereof, by just Title of Propriety shall belong to the Enemies of the most Christian King ; except always Contraband Goods ; which being Intercepted, all things shall be done according to the Meaning and Direction of the precedent Articles ; and by the same Reason, whatsoever shall be found Laden by the Subjects of the most Christian King in any Ship whatsoever belonging to the Enemies of his Majesty of *Great Britain*, although the same be not of the quality of Contraband Goods, may be Confiscated ; but on the other Side, all that which shall be found in the Ships belonging to the Subjects of the most Christian King, shall be accounted clear and free, although the whole

Free Ship
free Goods,
& e contra.

Goods Laden
before War is
Declared by
one of the Par-
ties against a
third Party,
not to be for-
feited.

Lading, or any part thereof, by just Title of Propriety shall belong to the Enemies of his Majesty of Great Britain; except always Contraband Goods, which being Intercepted, all things shall be done according to the Meaning and Direction of the precedent Articles: And least any Damage should by Surprize be done to the one Party who is in Peace, when the other Party shall happen to be engaged in War, it is Provided and Agreed, That a Ship belonging to the Enemies of the one Party, and Laden with Goods of the Subjects of the other Party, shall not Infect or render the said Goods liable to Confiscation, in case they were Laden before the expiration of the Terms and Time, hereafter mentioned, after the Declaration and Publication of any such War; (*viz.*) If the Goods were Laden in any Port or Place between the Places or Limits called the *Soundings* and the *Naz in Norway*, within the space of Six Weeks after such Declaration; of Two Months between the said Place the *Soundings* and the City of *Tanger*; and of Ten Weeks in the *Mediterranean Sea*; or within the space of Eight Months in any other Country or Place of the World; So that it shall not be lawful to Confiscate the Goods of the Subjects of his Majesty of Great Britain, taken or seized in any Ship or Vessel whatsoever of any Enemy of the most Christian King upon that Pretence, but the same shall be without delay restored to the Proprietors, unless they were Laden after the expiration of the said Terms of Time respectively; but so that it may not be lawful for them afterwards to carry to Enemies Ports the said Merchandises which are called Contraband; and for the Reason aforesaid shall not be liable to Confiscation; neither on the other side shall it be lawful to Confiscate the Goods

Goods of the Subjects of the most Christian King, taken or seized in any Ship or Vessel whatsoever of an Enemy of his Majesty of *Great Britain* upon that Pretence, but the same shall be forthwith restored to the Proprietors thereof, unless they were Laden after the expiration of the said Terms of Time respectively ; but so that it may not be lawful for them afterwards to carry to Enemies Ports the said Merchandises which are called Contraband, and for the Reason aforesaid shall not be liable to Confiscation.

IX.

And the more to assure the Subjects of his Majesty of *Great Britain*, and of the most Christian King, that no Injury shall be offered to them by the Ships of War, or Private Men of War of either Side, all the Captains of the Ships as well of his Majesty of *Great Britain*, as of the most Christian King, and all their Subjects who shall set out Private Men of War; And likewise their Priviledged Companies shall be enjoyned not to do any Injury or Damage whatsoever to the other ; which if they do, they shall be punished ; and moreover be liable to satisfy all Costs and Damages by Restitution and Reparation, upon Pain and Obligation of Person and Goods.

Privateers and Companies to make Satisfaction in case of Contravention.

X.

For this cause all the Commanders of Private Men of War shall from henceforth be obliged before they receive their Commissions, to enter before a competent Judge, good and sufficient Security, by able and responsible Men, who have no Part or Interest in such Ship, in the Sum of Fifteen hundred Pounds Sterling, or Sixteen thousand five hundred

Privateers to give Security.

Livres, and when they have above One hundred and fifty Men, then in the Sum of Three thousand Pounds Sterling, or Three and thirty thousand *Livres*; that they will give full Satisfaction for any Damages or Injuries whatsoever, which they or their Officers, or others in their Services, shall commit in their Courses at Sea, contrary to this present Treaty, or any other whatsoever, between his Majesty of *Great Britain*, and the said most Christian King, and upon the pain of Revocation and Annulling their said Commissions; in which it shall be always inserted, that they have given such Security as abovesaid; and likewise it is Agreed, that the Ship it self shall be also liable to make Satisfaction for Injuries and Damages done by her.

XI.

His Majesty of *Great Britain*, and the said most Christian King, being desirous that the Subjects of each other may be mutually Treated in all Countries under their Obedience respectively, with the like kindness as their own Subjects, will give all necessary and effectual Orders, that Judgments upon Ships and Merchandise taken at Sea, be given according to the Rule of Justice and Equity, by Judges beyond all Suspicion, and not any ways concerned in the Cause under Debate. And his Majesty of *Great Britain* and the most Christian King, will likewise give strict Orders, that all Sentences already given, and which shall be hereafter given, be according to the Tenor thereof duly put in Execution, and obtain their Effect.

In cases of
Prizes, Justice
to be admini-
stered.

XII.

And whensoever the Ambassadors, or other Publick

lick Ministers of the King of *Great Britain*, Residing in the Court of the most Christian King, shall complain of the unjustness of Sentences which have been given concerning Ships or Merchandise taken at Sea, and belonging to the Subjects of the King of *Great Britain*, then the said most Christian King on Demand of the said Ambassadors or Ministers of the King of *Great Britain*, shall cause the said Sentences to be Reviewed and Examined in his Privy Council, and shall Confirm or Revoke the Sentences wheresoever given : And likewise the said most Christian King shall take care that Right be done to the Party complaining within the space of Four Months, to be accounted from the Day of making such Demand. In like manner, if the Ambassadors, or other Publick Ministers of the most Christian King Residing in the Court of the King of *Great Britain*, shall complain of the unjustness of Sentences which have been given concerning Ships or Merchandise taken at Sea, belonging to Subjects of the said most Christian King, the said King of *Great Britain* shall forthwith Commissionate under his Great Seal, Nine of his Privy Council to Adjudge such Matters, and to Confirm or Revoke the Sentences wheresoever given ; and the said Commissioners shall meet within the space of One Month from the Day of delivering the Complaint : And likewise the King of *Great Britain*, shall take care that Right be done the Party complaining within the space of Three Months, to be computed from the first Day of the meeting of the said Commissioners.

In case of Complaint against Sentences upon Prizes, the *French* King to cause the said Sentences to be Revised in his Privy Council.

And the King of *England* to appoint Commissioners to the same purpose.

XIII.

A Suit being Commenced between the Takers of Prizes

Sentence against a Privateer to be put in Execution, notwithstanding his Appeal.

Prizes on the one Part, and the Claimers thereof on the other, and a Sentence or Decree being given for the Party Reclaiming, the said Sentence or Decree, (upon Security given) shall be put in Execution, notwithstanding the Appeal made by him that took the Prize : which shall not be observed in case the Sentence shall be given against the Claimers.

XIV.

No Master or Seamen to be Tortured.

Upon proof of Torture, the Ship to be forthwith Discharged.

And whereas the Masters of Merchant Ships, and likewise the Mariners and Passengers do sometimes suffer many Cruelties and barbarous Usages, when they are brought under the power of Ships which take Prizes in time of War, the Takers in an Inhumane manner tormenting them, thereby to extort from them such Confessions as they would have to be made, it is Agreed, That both his Majesty of *Great Britain* and the most Christian King, shall by the severest Proclamations or Edicts, forbid all such hainous and inhumane Offences, and as many as they shall by lawful Proofs find guilty of such Acts, they shall take care that they be punished with due and just Punishments, and which may be a terror to others; and shall command that all the Captains and Officers of Ships who shall be proved to have committed such hainous Practises, either themselves, or by instigating others to act the same, or by conniving while they were done, shall (besides other Punishments to be inflicted proportionably to their Offences) be forthwith deprived of their Offices respectively; and every Ship brought up as Prize, whose Mariners or Passengers shall have suffered any Torture, shall forthwith be dismissed and freed with all her Lading, from all further Examination and Proceeding against her, as well Judicial as otherwise.

XV. It

XV.

It is also Agreed, That the like severity of Punishments shall be inflicted upon those who shall take Commission from Enemies to Seize the Ships of either Ally or Party.

Those that take Commissions from the Enemies of either Party against the other, to be punished.

XVI.

Lastly, It is Agreed and Concluded, That this present Treaty, and all and singular the things therein contained, shall be with all convenient speed on both Sides Ratified and Confirmed, and that the Ratifications thereof shall be within Two Months from the Date hereof rightly and reciprocally Exchanged between both Parties.

This Treaty to be Ratified in Two Months.

Dated at *St. Germain in Laye* the Twenty fourth day of *February*, in the Year of our Lord 1677.

The Form of the Passport (or Sea-brief) to be asked of, and given by the Lord High Admiral, or by those to whom the Exercise of Admiralty Jurisdiction is ordinarily committed, or by the Mayor or other chief Magistrate, or by the Commissioners, or other principal Officers of the Customs in their respective Ports and Places within the Dominions of the King of Great Britain, to Ships and Vessels, according to the Purport of the Fifth Article.

TO all unto whom these Presents shall come,
Greeting. We Lord High
Admiral of We Lords
Commissioners Executing the Office of the Lord
High Admiral of or We
the Mayor, or other Magistrate of or
We Commissioners, or principal
Officers

Officers of the Customs in the City or Port of
 Do Testifie and make known,
 That Master or Commander of
 the Ship called the hath appeared
 before Us, and hath declared by solemn Oath,
 That the said Ship or Vessel containing about
 Tons, of which he is at
 present Master or Commander, doth belong to the
 Inhabitants of within the
 Dominions of the Most Serene and Mighty Prince,
 the King of *England, Scotland, France and Ireland,*
 Defender of the Faith, &c. So help him God. And
 in regard it would be most acceptable to Us, that
 the said Master or Commander be assisted in his just
 and lawful Affairs, We do request you, and every
 of you, wheresoever the said Master or Comman-
 der shall arrive with his Ship, and the Goods Laden
 on Board and carried in her, that you would please
 to receive him courteously, and use him kindly, and
 admit him, upon paying the lawful and usual Cu-
 stoms and other Duties, to enter into, remain in,
 and pass from your Ports, Rivers, and Dominions,
 and there to enjoy all kind of Right of Navigation,
 Traffick, and Commerce, in all Places where he shall
 think fit; Which We shall most willingly and rea-
 dily acknowledge upon all Occasions: In Testimo-
 ny and Confirmation whereof, We have with Our
 Hand Signed these Presents, and caused them to be
 Sealed with Our Seal: Dated at the
 day of in the Year of our Lord

And the like Form of Pasport (*mutatis mutandis*)
 shall be used by the Subjects of the most Christi-
 an King.

Articles of Peace and Commerce between the Most Serene and Mighty Prince Charles the Second, by the Grace of God King of Great Britain, France and Ireland, Defender of the Christian Faith, &c. and the Most Illustrious Lords, the Bashaw, Dey, Aga, and Governors of the famous City and Kingdom of Algiers in Barbary : Concluded by Arthur Herbert Esquire, Admiral of of his Majesties Fleet in the Mediterranean Seas, on the Tenth day of April Old Stile, 1682.

Artic. I.



IN the first place it is Agreed and Firm Peace.

Concluded, That from this day, and for ever forwards, there be a true, firm and inviolable Peace between the most Serene King of Great Britain, France and Ireland, Defender of the Christian Faith,

&c. and the most Illustrious Lords, the Bashaw, Dey, Aga, and Governors of the City and Kingdom of Algiers, and between all the Dominions and Subjects of either Side, and that the Ships or other Vessels, and the Subjects and People of both Sides shall not henceforth do to each other any Harm, Offence or Injury either in Word or Deed, but shall Treat one another with all possible Respect and Friendship.

II.

That any of the Ships or other Vessels belonging to the said King of Great Britain, or to any of his Majesties Subjects, may safely come to the Port of Algiers, or to any other Port or Place of that King-

Liberty of coming in, or Trading to Algiers, paying Ten per Cent. Custom.

K k

dom,

Contraband
Goods to pay
no Duties at
Algiers.

dom, there freely to Buy and Sell, paying the usual Customs of Ten *per Cent.* as in former Times, for such Goods as they sell, and the Goods they sell not, they shall freely carry on Board without paying any Duties for the same ; And that they shall freely depart from thence whensoever they please, without any stop or hindrance whatsoever. As to Contraband Merchandises, as Powder, Brimstone, Iron, Planks, and all sorts of Timber fit for Building of Ships, Ropes, Pitch, Tar, Fusils, and other Habili-ments of War, his said Majesties Subjects shall pay no Duty for the same to those of *Algiers*.

III.

English Ships,
and all Persons
and Goods
whatsoever on
Board, to pass
the Seas freely

That all Ships and other Vessels, as well those belonging to the said King of *Great Britain*, or to any of his Majesties Subjects, as those belonging to the Kingdom or People of *Algiers*, shall freely pass the Seas, and Traffick without any Search, hindrance or molestation from each other ; and that all Persons or Passengers, of what Country soever, and all Moneys, Goods, Merchandises and Moveables, to whatsoever People or Nation belonging, being on Board of any of the said Ships or Vessels, shall be wholly free, and shall not be stopped, taken or plundered, nor receive any harm or damage whatsoever from either Party.

IV.

Manner of Vi-
siting Ships at
Sea.

That the *Algier* Ships of War or other Vessels meeting with any Merchants Ships or other Vessels of his said Majesties Subjects, not being in any of the Seas appertaining to his Majesties Dominions, may send on Board one single Boat with two Sitters only, besides the ordinary Crew of Rowers, and that no more shall enter any such Merchant Ship
or

or Vessel, without express leave from the Commander thereof, but the two Sitters alone, and that upon producing a Pass under the Hand and Seal of the Lord High Admiral of *England and Ireland*, or of the Lord High Admiral of *Scotland*, for the said Kingdoms respectively, or under the Hands and Seals of the Commissioners for Executing the Office of Lord High Admiral of any of the said Kingdoms, that the said Boat shall presently depart, and the Merchant Ship or Vessel shall proceed freely on her Voyage, and that although for the space of Fifteen Months next ensuing after the Conclusion of this Peace, the said Commander of the Merchant Ship or Vessel produce no such Pass, yet if the major part of the Seamen of the said Ship or Vessel be Subjects of the said King of *Great Britain*, the said Boat shall immediately depart, and the said Merchant Ship or Vessel shall freely proceed on her Voyage; But that after the said Fifteen Months, all Merchants Ships or Vessels of his said Majesties Subjects shall be obliged to produce such a Pass as aforesaid. And any of the Ships of War or other Vessels of his said Majesty, meeting with any Ships or other Vessels of *Algiers*, if the Commander of any such *Algier* Ship or Vessel shall produce a Pass Firmed by the chief Governors of *Algiers*, and a Certificate from the *English* Consul living there, or if they have no such Pass or Certificate, yet if for the space of Fifteen Months next ensuing the Conclusion of this Peace, the major part of the Ships Company be *Turks, Moors*, or Slaves belonging to *Algiers*, then the said *Algier* Ship or Vessel shall proceed freely; But that after the said Fifteen Months, all *Algiers* Ships or Vessels shall be obliged to produce such a Pass and Certificate as aforesaid.

V.

No person to
be taken out
of any *English*
Ship, nor Tor-
tured.

That no Commander or other Person of any Ship or Vessel of *Algiers* shall take out of any Ship or Vessel of his said Majesties Subjects, any person or persons whatsoever, to carry them any where to be Examined, or upon any other pretence; nor shall they use any Torture or Violence to any person of what Nation or Quality soever, being on Board any Ship or Vessel of his Majesties Subjects, upon any pretence whatsoever.

VI.

No Ship-
wracks to be
Prize, nor the
Goods or Men
to be Seized.

That no Shipwrack belonging to the said King of *Great Britain*, or to any of his Majesties Subjects, upon any part of the Coast belonging to *Algiers*, shall be made or become Prize, and that neither the Goods thereof shall be Seized, nor the Men made Slaves; but that all the Subjects of *Algiers* shall do their best endeavours to save the said Men and their Goods.

VII.

Algerine Ships
not to go to
Sally, or other
Place in En-
mity with the
King, to be u-
sed against the
English.

That no Ship, nor any other Vessel of *Algiers* shall have permission to be delivered up, or go to *Sally*, or any Place in Enmity with the said King of *Great Britain*, to be made use of as Corsairs or Sea-Rovers against his said Majesties Subjects.

VIII.

Algerines not
to Cruise in
sight of *Tan-
gier* or other
Place of his
Majesties.

That none of the Ships or other smaller Vessels of *Algiers* shall remain Cruising near or in sight of his Majesties City and Garison of *Tangier*, or of any other his Majesties Roads, Havens or Ports, Towns and Places, nor any ways disturb the Peace and Commerce of the same.

IX. That

IX.

That if any Ship or Vessel of *Tunis*, *Tripoli*, or *Sally*, or of any other Place, bring any Ships, Vessels, Men or Goods belonging to any of his said Majesties Subjects, to *Algiers*, or to any Port or Place in that Kingdom, the Governors there shall not permit them to be sold within the Territories of *Algiers*.

English made Prize by those of *Tunis*, &c. not to be sold at *Algiers*.

X.

That if any of the Ships of War of the said King of *Great Britain* do come to *Algiers*, or to any other Port or Place of that Kingdom with any Prize, they may freely sell it, or otherwise to dispose of it at their own pleasure, without being molested by any : And that his Majesties said Ships of War shall not be obliged to pay Customs in any sort ; and that if they shall want Provisions, Victuals, or any other things, they may freely Buy them at the Rates in the Market.

Kings Ships may sell their Prizes at *Algiers*.

Not to pay any Customs.

May buy Provisions.

XI.

That when any of his said Majesties Ships of War shall appear before *Algiers*, upon notice thereof given by the *English* Consul, or by the Commander of the said Ships to the chief Governors of *Algiers*, publick Proclamation shall be immediately made to secure the Christian Captives ; And if after that any Christians whatsoever make their escape on Board any of the said Ships of War, they shall not be required back again, nor shall the said Consul or Commander, or any other his Majesties Subjects be obliged to pay any thing for the said Christians.

The Kings Ships coming to *Algiers*, Proclamation shall be made, and if after that any Slaves escape, they shall not be required back, nor be answered for.

XII. That

XII.

No *English* shall be bought fold, or made Slaves at *Algiers*.

The King not obliged to Redeem his Subjects now in Slavery.

English Captives, when Redeemed, to have abatements of certain Dues.

That from and after the time that the Ratification of this Treaty by the King of *Great Britain* shall be delivered to the chief Governors of *Algiers*, no Subjects of his said Majesty shall be bought or sold, or made Slaves in any part of the Kingdom of *Algiers*, upon any pretence whatsoever. And the said King of *Great Britain* shall not be obliged by virtue of this Treaty of Peace to Redeem any of his Subjects now in Slavery, or who may be made Slaves before the said Ratification; But it shall depend absolutely upon his Majesty, or the Friends and Relations of the said Persons in Slavery, without any limitation or restriction of time, to Redeem such, and so many of them from time to time, as shall be thought fit, agreeing of as reasonable a Price as may be, with their Patrons or Masters for their Redemption, without obliging the said Patrons or Masters against their wills to set any at Liberty, whether they be Slaves belonging to the Beylicque or Gally, or such as belong to the Bashaw, Dey, Governor, Aga, or any other Persons whatsoever. And all Slaves being his Majesties Subjects, shall, when they are Redeemed, enjoy the advantage and benefit of abatements of the Duty due to the Royal House, and of the other Charges, by paying such reasonable Sums as any Slaves of other Nations usually pay when they are Redeemed.

XIII.

Goods of *English* dying at *Algiers*, not to be Seized.

That if any Subject of the said King of *Great Britain* happen to die in *Algiers*, or in any part of its Territories, his Goods or Moneys shall not be Seized by the Governors, Judges, or other Officers of *Algiers*

Algiers (who shall likewise make no Enquiry after the same) but the said Goods or Moneys shall be possessed or received by such person or persons whom the Deceased shall by his last Will have made his Heir or Heirs, in case they be upon the Place where the Testator deceased. But if the Heirs be not there, then the Executors of the said Will, lawfully constituted by the Deceased, shall after having made an Inventory of all the Goods and Moneys left, take them into their custody without any hindrance, and shall take care the same be remitted by some safe way, to the true and lawful Heirs; and in case any of his said Majesties Subjects happen to die, not having made any Will; the *English* Consul shall possess himself of his Goods and Moneys upon Inventory, for the use of the Kindred, and Heirs of the Deceased.

Their Estates
to be kept for
their Heirs.

English Consul
to have a care
thereof.

XIV.

That no Merchants being his Majesties Subjects, and Residing in, or Trading to the City and Kingdom of *Algiers*, shall be obliged to buy any Merchandises against their Wills; but it shall be free for them to buy such Commodities as they shall think fit, and no Captain or Commander of any Ship or Vessel belonging to his said Majesties Subjects, shall be obliged against his Will to Lade any Goods to carry them, or make a Voyage to any Place he shall not have a mind to go to: And neither the *English* Consul, nor any other Subject of the said King, shall be bound to pay the Debts of any other of his Majesties Subjects, except that he or they become Sureties for the same by a publick Act.

English not
obliged to buy
Goods against
their wills.

No Ships to
be obliged to
lade or carry
Goods against
their will.

English Consul
not obliged to
pay the Debts
of another
Englishman.

XV.

That the Subjects of his said Majesty in *Algiers*, or
its

English to be subject to no Jurisdiction but that of the Dey or Divan. Differences between the *English* to be determined by the Consul.

its Territories, in matter of Controversie, shall be liable to no other Jurisdiction but that of the Dey, or Duan, except they happen to be at Difference between themselves, in which case they shall be liable to no other Determination but that of the Consul only.

XVI.

English striking or killing a *Turk*, to be punished with no greater severity than a *Turk*; if he escapes, no other to answer for him.

That in case any Subject of his said Majesty being in any part of the Kingdom of *Algiers* happen to Strike, Wound, or Kill a *Turk* or a *Moor*, if he be taken, he is to be punished in the same manner, and with no greater severity than a *Turk* ought to be, being guilty of the same Offence; but if he escape, neither the said *English* Consul, nor any other of his said Majesties Subjects, shall be in any fort questioned and troubled therefore.

XVII.

Liberties of the *English* Consul.

That the *English* Consul now, or at any time hereafter living in *Algiers*, shall be there at all times with entire freedom and safety of his Person and Estate, and shall be permitted to choose his own Druggerman and Broker, and freely to go on Board any Ships in the Road, as often and when he pleases, and to have the liberty of the Country; And that he shall be allowed a Place to Pray in, and that no man shall do him any Injury in Word or Deed.

XVIII.

The *English* at all times to have liberty to go away with their Estates.

That not only during the continuance of this Peace and Friendship, but likewise if any Breach or War happen to be hereafter between the said King of *Great Britain* and the Kingdom of *Algiers*, the said *English* Consul, and all other his said Majesties Subjects Inhabiting in the Kingdom of *Algiers*, shall always,

always, and at all times, both of Peace and War, have full and absolute liberty to depart and go to their own, or any other Country, upon any Ship or Vessel, of what Nation soever they shall think fit, and to carry with them all their Estates, Goods, Families and Servants, without any interruption or hindrance.

XIX.

That no Subject of his said Majesty, being a Passenger, and coming or going with his Baggage, from or to any Port, shall be any way molested or meddled with, although he be on Board any Ship or Vessel in Enmity with *Algiers*; And in like manner no *Algerine* Passenger being on Board any Ship or Vessel in Enmity with the said King of *Great Britain*, shall be any way molested, whether in his Person, or in his Goods which he may have Laden on Board the said Ship or Vessel.

English Passenger on Board a Ship in Enmity with Algiers, not to be molested, and so neither an Algerine on Board a Ship in Enmity with England.

XX.

That at all times when any Ship of War of the King of *Great Britains*, carrying his said Majesties Flag at the Main-Top-Mast-Head, shall appear before *Algiers*, and come to an Anchor in the Road, That immediately after notice thereof given by his said Majesties Consul, or Officer, from the Ship unto the Dey and Government of *Algiers*, they shall in Honour to his Majesty, cause a Salute of One and twenty Cannon to be Shot off from the Castles and Forts of the City, and that the said Ship shall return an Answer by Shooting off the same number of Cannon.

English Admiral to be Saluted first.

XXI.

That presently after the Signing and Sealing of
 L I these

All Injuries to be forgotten, and Satisfaction to be made for Damages committed afterwards.

these Articles by the Bashaw, Dey, Aga, and Governors of *Algiers*, all Injuries and Damages sustained on either Part, shall be quite taken away and forgotten, and this Peace shall be in full force and virtue, and continue for ever. And for all Depredations and Damages that shall be afterwards committed or done by either Side, before notice can be given of this Peace, full Satisfaction shall immediately be made, and whatsoever remains in kind, shall be instantly restored.

XXII.

This Peace not to be broken in case of any Contravention, but Satisfaction to be first demanded.

That in case it shall happen hereafter that any thing is done or committed contrary to this Treaty, whether by the Subjects of the one or the other Party, the Treaty notwithstanding shall subsist in full force, and such Contraventions shall not occasion the Breach of this Peace, Friendship, and good Correspondence, but the Party injured shall amicably demand immediate Satisfaction for the said Contraventions before it be lawful to break the Peace; and if the Fault was committed by any private Subjects of either Party, they alone shall be punished as Breakers of the Peace, and Disturbers of the Publick Quiet. And Our Faith shall be Our Faith, and Our Word Our Word.

Confirmed and Sealed in the Presence of Almighty God, the Tenth day of April, in the Year of our Lord Jesus Christ One thousand six hundred and eighty two: And in the Year of the Hegira One thousand ninety three, and the Eleventh day of the Moon Abril.

(L. S.) (L. S.) (L. S.)

Whereas

WHereas on the Tenth day of *April* 1682. there was a Treaty of Peace Concluded between the Most Serene King of *Great Britain, France and Ireland*, Defender of the Christian Faith, &c. and the Most Illustrious Lords the Bashaw, Dey, Aga, and Governors of the City and Kingdom of *Argiers*, to which Treaty there was annexed a Form of Passes for the Ships belonging to the Subjects of the said King of *Great Britain*; It is hereby Agreed and expressly Declared; That the said Form annexed to the said Treaty being no part thereof, the Lords High Admirals or Commissioners of the Admiralty of his said Majesties Dominions, are at full liberty in giving the said Passes, to use the Form of Words hereunto annexed, which shall be good and sufficient to all intents and purposes. Confirmed and Sealed in the Presence of Almighty God the Fifth day of *March*, in the Year of our Lord *Jesus Christ* One thousand six hundred eighty and two, being in the Year of the *Hegira* One thousand ninety four, and the Seventeenth day of the Moon *Moolout*.

(L.S.)

(L.S.)

(L.S.)

Form of the Pass.

Suffer the Ship

to pass with her Company, Passengers, Goods and Merchandises, without any Let, Hindrance, Seizure or Molestation, the said Ship appearing unto Me (or Us) by good Testimony, to belong to the

L1 2

Subjects

Form of the Passes.

Subjects of Our Sovereign Lord the King, and to no
 Foreigners. Given under My Hand (or Our Hands)
 and the Seal of My (or Our) Office of Admiral, at
 the day
 of in the Year of our
 Lord One thousand six hundred eighty

To all Persons whom these
 may concern.

By Command of

Note,

THat the late Commission of the Admiralty of
England having been determined, and the
 Administration of the Affairs thereof (and parti-
 cularly that of Signing Passes) taken into his Ma-
 jesties own Royal Hand, the Form of the foremen-
 tioned Passes has received the following Alterations;
Viz.

JAMES

JAMES the Second, by the Grace of God
King of *England, Scotland, France and Ireland,*
Defender of the Faith, &c. To all Persons
whom These may concern, Greeting.

Suffer the Ship

Locus Sigilli.

to pass with her
Company, Passengers, Goods and Merchandises,
without any Let, Hindrance, Seizure or Molesta-
tion; The said Ship appearing unto Us by good
Testimony to belong to Our Subjects, and to no
Foreigner. Given under Our Sign Manual, and
the Seal of Our Admiralty, at Our Court at
this day of In
the Year of our Lord One thousand six hundred
Eighty

JAMES R.

By His Majesties Command

S. Pepys.

FINIS.